

THELYPHTHORA;

O R,

A TREATISE ON

FEMALE RUIN,

I N I T'S

CAUSES, EFFECTS, CONSEQUENCES,
PREVENTION, AND REMEDY;

CONSIDERED ON THE BASIS OF THE

D I V I N E L A W:

Under the following HEADS, viz.

MARRIAGE,	ADULTERY,
WHOREDOM, and	POLYGAMY,
FORNICATION,	DIVORCE;

With many other INCIDENTAL MATTERS;

PARTICULARLY INCLUDING

An Examination of the Principles and Tendency of
Stat. 26 GEO. II. c. 33.

COMMONLY CALLED

THE MARRIAGE ACT.

IN TWO VOLUMES.—VOL. II.

THE SECOND EDITION, ENLARGED.

—What in me is dark
Illumine, what is low raise and support;—
That, to the height of this great argument,
I may assert ETERNAL PROVIDENCE,
And justify the ways of God to MEN.

MILTON.

L O N D O N:

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MEMORANDUM.

" The grand question to be tried is —
" Whether a SYSTEM filled with *obligation* and
" *responsibility*, of MEN to WOMEN, and of wo-
" MEN to MEN, even unto *death* itself, and this
" established by INFINITE WISDOM, is not better
" calculated to prevent the *ruin* of the *female*
" *sex*, with all its horrid consequences, both to
" the public and individuals, than a SYSTEM of
" *human contrivance*, where neither *obligation*
" nor *responsibility* are to be found, either of
" MEN to WOMEN, or of WOMEN to MEN, in in-
" stances of the most *important* concern to BOTH,
" but more especially to the *weaker sex* ?"

See Vol. i. Pref. xxiii, xxiv.

E R R A T U M.

The reader is desired to rectify a mistake, p. 144, relative to the King of Portugal's marrying his niece. The fact is this : there was a double *incest* in the royal family of Portugal, which, with the help of *papal dispensations*, seems to bid fair for arriving at what was antiently practised in the royal house of the Ptolomies, where Ptolomy Ceraunus married his *sister Arsinoe*, as did afterwards Ptolomy Philadelphus—(such incestuous marriages being allowed in *Aegypt*.—See Ant. Univ. Hist. vol. ix. p. 376, 379.)

The princess of Brazil, eldest daughter of Don Joseph the Ist—King of Portugal—married her uncle Don Pedro, her father's brother, anno 1760, she being in the twenty-sixth year of her age, and he about forty-three.—See Lev. xviii. 14.

Feb. 21, 1777, the prince of Beira, their son, married the *infanta Maria Benedicla*, his aunt—i. e. his mother's youngest *sister*—she being then in her thirty-first year, and he in his sixteenth.—See Lev. xviii. 15.

See Ann. Reg. 1777, Tit. *Chronicle*, 170—and Tit. *History of Europe*, 177.

THELYPHTHORA.

CHAP. VI.

Of D I V O R C E:

STILL on this subject, as on all the rest, we must keep the holy *scriptures* alone in our view; as the will of God, touching this, and all things else, is only to be known from the revelation which He hath been pleased to make of it in His word.

The first marriage we read of, was between our first parents *Adam* and *Eve*, and on that occasion, we find the will of THE MOST HIGH, with respect to the *indissolubility* of the marriage, declared by the mouth of *Adam*, Gen. ii. 23, 24.—*This is now bone of my bones, and flesh of my flesh; she shall be called WOMAN, because she was taken out of MAN. Therefore* (or, for this cause) *shall a man leave his father and mother, and shall CLEAVE unto his wife, and they shall be one flesh.* These are not to be

looked upon merely as the words of *Adam*, but of *HIM* that made them *male* and *female*, declared by *Adam*. See *Matt.* xix. 4, 5 ; where *CHRIST* quotes this primary law of marriage, and absolute prohibition of *divorce*, thus—*Have ye not read, that he which made them at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and be joined (προσκολλησεται) unto his wife, and they twain shall be one flesh.* Comp. *1 Cor.* vi. 15, 16. The conclusion which *CHRIST* draws from this institution is as follows—*Wherefore they are no more twain, but one flesh: what therefore * GOD hath joined (συνεζευξεν, yoked as it were) together, let not man put asunder.* By this it appears, that when once a man and woman have become *one flesh*, they, by this act, though two distinct and independent persons before, are so indissolubly *one*, in consideration of the *divine law*, that neither the parties themselves, nor any other person, or power upon earth, *can put them asunder.* It is not by the ordinance of man that they are joined together, but by the ordinance of *GOD* ; therefore *OUR SAVIOUR* saith, *What GOD hath joined together* (by pronouncing them

* It is to be observed, that *OUR LORD*, in his quotation of the passage, which contains the *primary* institution of the *marriage-union*, introduces not the least hint, as if some outward ceremony of man's device, was necessary, either to the *perfection* or *indissolubility* of the contract in *GOD's* sight—nor is there such a thing to be found in any other part of the *Bible*.

one flesh) let not man put asunder.—But was this rule to be understood in so absolute a sense as to admit of no relaxation or exception whatsoever?—No: We read of *one*, which was allowed to be a dissolution of the marriage-bond, and that was—the woman's uniting herself to another man than her husband; this is the true scriptural idea of נאִי—*adultery*. The moment this happened, the husband was totally released from all * obligation to her,

* Dr. Ayliffe, as cited in Burn's *Eccles. Law*, Tit. *Marriage*, says—that “a divorce *a vinculo matrimonii* cannot be for *adultery*, for that the offence is after a just and lawful marriage;” and cites 1. Inst. 88.

This was the doctrine of Father Soto at the council of Trent, adopted by that Synod, and decreed, with an *anathema*, against all who should say that the church had erred in so determining.

This doctrine of the “contract not being dissolved by the *adultery* of the wife, so as that the husband might marry again,” was vehemently opposed by the *Lutherans*, who did maintain, that “*adultery* was a cause of divorce *a vinculo matrimonii*.” Bucer, in the book which he wrote for the use of Ed. VI. Ann. 1550, recommends, that “a second marriage might be lawful, after a divorce for *adultery*.” Burnet, Hist. Ref. vol. ii. p. 156. However, this kingdom has adopted the doctrine of the *Papists*—wherefore the *Ecclesiastical Courts* can go no farther than a divorce *a mensa et toro*, in cases of *adultery*; nor can the injured husband get rid of the *adulteress*, so as to marry again, without a special *Act of Parliament*, which now takes place of the *Pope's* dispensation for that purpose;—a mode of remedy this, instituted of man, not of God—profitable to those who are to receive their fees—*expensive* to those who are to pay them;—so expensive, as to be totally out of the reach of the generality, who are, by these means, deprived of that relief which they are *ipso facto* entitled to by nature,

her, or union with her ; and, as appears also from the mind of God, afterwards declared in the farther promulgation, and more explicit revelation of His law, might not only

reason, and scripture.—Compare Matt. v. 31, 32. with Jer. iii. 8. and consider well כרת—to cut off; and ἀπολύνειν—to set loose, or release.

These words are of much stronger import than ἀφίημι—to send away, or dismiss from cohabitation—which we are to understand to be the meaning of St. Paul, 1 Cor. vii. 11. γυναῖκα μὴ ἀφιέναι—and ver. 12. μὴ ἀφίῃω αὐτήν; this certainly answers to the idea of a *dismissal* from cohabitation, or a divorce *a mensa & toro*—but ספר כריתת—*libellum excidii*, or bill of cutting off, must be meant of the *bond itself*, and so is it always to be understood in the Hebrew scripture. This was in the husband's own power, without the interference of any, unless of the *witnesses* before whom perhaps it might be signed, though certainly *lawful* in God's sight, in no case, where the marriage itself had been just and lawful—παρεκτός λογυ πορνείας, as the infallible interpreter of the *divine law* speaks, Matt. v. 32.—*except for the cause of fornication*:—there the idea of divorce is expressed by ἀπολύνω—Ὁς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτῆς, &c. Now ἀπολύνω signifies to *loose*—*set loose*—or *release* as from a bond, and so to divorce a wife by *loosing the bond of marriage*, which, that it might be done *on account of fornication* before, or *adultery* afterwards, is surely as clear as the sun; for saying that a thing may not be done, except for *one reason only*, is saying that for *that reason* it may be done, or language must lose its meaning. The fathers at Trent were hard put to it to make a decree upon the subject, for they had the scripture, the opinions of St. Ambrose, many of the Greek fathers, and the practice of the eastern church, against them; so they *splitted the hair*—not by condemning those who say that “*matrimony may be dissolved by adultery*, and another *contracted*”—which Ambrose, &c. maintained;—but, by condemning those who say “*the church may err in teaching otherwise.*” The truth of the matter was, that by

only *put her away*, but, if he chose to bring her to a public trial, have *her*, and the *man* who defiled her, *put to death*. This, as appears from the whole tenor of the law as delivered

by declaring *adultery* to be no cause of divorce *a vinculo matrimonii*, they reserved the lucrative business of *dispensation* in the hands of the *Pope*; who, arrogating to himself a power of trampling on all the laws of heaven and earth, readily enough granted *divorces*, with or without cause, to such as were able to pay for them, either in money, or by adding to the power, wealth, and territory of the church.

In 1548, the *Marquis of Northampton* was divorced from his wife, whom he convicted of *adultery*; but the divorce being only *a mensa & toro*, the question was, whether he could marry another wife? And in the beginning of king Edward's reign, a commission was granted to *Cranmer, Archbishop of Canterbury*, the Bishops of *Durham, Rochester*, to Dr. *Ridley*, and six more, to examine and try the question; but before it could be determined, the *Marquis* married solemnly *Elizabeth*, daughter to *Brooke Lord Cobham*; for this he was put to answer before the council: He there said, "he thought, that, by the word of God, he was discharged of his tie to his former wife; that the making marriages indissoluble, was but a part of the Popish law, by which it was reckoned a *sacrament*; and yet the Popes, knowing that the world would not easily come under such a yoke, had, by the help of the *Canonists*, invented such distinctions, that it was no *uneasy* thing to make a marriage void among them: that the condition of this church was very hard, if, upon *adulteries*, the *innocent* must either live with the *guilty*, or be exposed to temptations to the like sins, if a separation only was allowed, but the bond of the marriage continued undissolved."

However, as things had proceeded so far before the *delegates*, it was ordered that *he* and his *new wife* should be parted, till the matter should be determined. In conclusion, the whole question was divided into eight

livered by God to *Moses*, and by him delivered and explained to the people, was the *only* legal cause of *divorce*, where the marriage was at first just and lawful. This certainly was, as well where the woman's act of incontinency was committed before marriage, and found out afterwards, as where it was committed afterwards.

The word *πορνεία*, which the Evangelist makes use of Matt. v. 32. and not *μοιχεία*, which more particularly answers to the Hebrew *זנות*—*adultery*, has occasioned some to think, that it relates to an act done by the woman *before* marriage, but found out *afterwards*, for which he might *put her away*, and not only that, but might have her *stoned to death*, if he chose to make her a *public example*, as appears Deut. xxii. 21. However this supposition may be true, yet it cannot be the *whole truth*, for the word must equally relate to an act done after *marriage* or *espousals*, as appears from *Joseph's*

queries, which were put to some learned men (who, does not appear); who returned their answer in support of the *second marriage*.—In fine, the whole was determined in favour of the *Marquis*, and he allowed to cohabit with his second wife.—See this whole matter in *Burnet's Hist. Ref.* second part, p. 56, 57, 58. and *Coll. to Part 2, B. i. N° 20.* See also vol. ii. p. 192, 256.

Burnet, Art. Ch. of Eng. p. 289, 3d edit. observes, that—"the notion of a separation for *adultery*, and yet "the bond of marriage continuing, was never known "till the *Canonists* brought it in; but the indissolubleness of the marriage, even for *adultery*, was never settled in any council till that of *Trent*."

intention

intention with regard to his *espoused wife Mary* *.—He being a just and holy man, and therefore not willing to marry † a woman whom he thought to be an *adulteress*, yet unwilling to expose her to public shame, or to make her a public example, was minded to put her away privily. Matt. i. 19. I take πορνεία, which we render *fornication*, to be like the word ἀκαθαρσία—*uncleanness*, a general term inclusive of all illicit commerce between the sexes, of which *adultery* is a species; therefore used by our LORD to include every species of criminality in the wife, which is mentioned in the Old Testament: as—First—her having had commerce with another man before any betrothment, espousals, or marriage with her present husband. See Deut. xxii. 13—21. Secondly—after being betrothed, ver. 23, 24. Thirdly—after marriage, ver. 22. Πορνεία has evidently this sense, 1 Cor. v. 1. As CHRIST most probably spake in *Hebrew*, it is to be supposed, by the *Evangelist's* delivering to us the word πορνεία, that CHRIST expressed Himself by

* Under the law of *Moses*, a *virgin betrothed* was reckoned the wife of him to whom she was *espoused*, and was to be stoned to death if she wilfully lay with another man. Deut. xxii. 23, 24.

† The text says—πρὶν ἢ συνελθεῖν αὐτὴν—before they came together she was found with child, &c. Συνελθεῖν is—to have *matrimonial commerce*—congrēdi—coire—which consummates marriage, and makes the parties *one flesh*. Matt. i. 18. 1 Cor. vii. 5. See *Parth. Gr. & Eng. Lex.* and *Leigh's Crit. Sac.* sub. voc. Συνερχομαι.

the word זונה, which signifies *whoredom* in general.

When we speak of *divorce*, we must always pre-suppose a lawful marriage, I mean such a one as is lawful according to the law of God. Those which were forbidden of God in those positive laws, Deut. vii. 3. with respect to connections with the *heathen*, as well as those which we find prohibited Lev. xviii. by reason of *consanguinity* and *affinity*, were not only *voidable*, but *void* * in themselves, after they were forbidden by those positive laws. But amongst all those laws, there is not the least trace of forbidding marriage, or enjoining *divorce*, on account of any *pre-engagement* whatsoever on the *man's side*—nor was such a thing ever known, till the *Church of Rome* first invented, and then established

* The laws against marriages with *heathen* women, must not be understood to affect the validity of marriages with such as were proselyted to the worship of the true God, from the worship of *idols*. Such women, being out of the *mischief* which those laws were enacted to provide against—that of corrupting and turning their husbands from God to *idols* (see Deut. vii. 4.)—were certainly out of the *intention* of it, and were indeed as much members of the church of God, as the *Jewish* women themselves were. Such were *Rahab*—*Ruth*, and others mentioned in scripture as married to men in the *holy line*. See Ps. xlv. 10, 11. Of this number we must also reckon *Solomon's* wife *Naamah*, the *Ammonitess*, (the mother of *Rehoboam*) whom *Solomon* married † before he came to the throne of *Israel*, when his heart was filled with zeal for God's law—the neglect of which, in his more advanced years, plunged him into gross idolatry. See 1 Kings xi. 1, 2, 3.

† See 1 Kings xiv. 21. 2 Chr. xii. 13. Comp. with 2 Chr. ix. 30.

it by *Canon Law*. Wherefore all our *divorces* on that account, which we derive from human invention and *church-power*, are without God's authority, therefore unlawful in His sight, as *putting asunder* those who ought not to be separated. Had the law of God forbidden a man to have *more than one wife* at a time, all but the *first* must have been *put away*, and that by the sentence of the magistrate, for the same reason that the *Jews*, in *Ezra's* time, were commanded to *put away* the *idolatrous* women whom they had married; because it would have been contrary to God's positive law * to have kept them
—see

* The law against marrying with *Heathens*, though positively enacted, Deut. vii. 3. yet subsisted before, as may appear from what JACOB's sons said, Gen. xxxiv. 14. to *Shechem* and *Hamor* on the subject of *Dinah*.—*We cannot do this thing, to give our sister to one that is uncircumcised, for that were a reproach* (or disgrace, *וחרפה*) to us. *Shechem* was an uncircumcised Heathen, and therefore his lying with *Dinah*, the daughter of *Jacob*, could not make her *Shechem's* lawful wife—it was no other than a *pollution*—ver. 13. The deceit which the sons of *Jacob* made use of to wreak their revenge, and the murders which they committed on the *Shechemites*, after having disabled them from all self-defence, by stratagem, and that effected by a notorious abuse and prostitution of the sacred rite of *circumcision*, must be allowed to be one of the foulest acts recorded in Scripture; and as such, it appears to be mentioned by *Jacob*, ver. 30. and again, ch. xlix. 5, 6, 7. where he fixes a *curse* upon the principles on which they acted.

On the other hand, as God often serves the purposes of his *Providence* by the wickedness of men, as well as by their good actions, we may view the matter as a punishment on *Shechem*, for violating the laws of hospitality,

—see before vol. i. p. 133. So *John the Baptist* told *Herod*, who had married his brother *Philip's* wife—“*It is not lawful for thee to have her.*” *Matt. xiv. 4.* *ἐξενόησεν*—to retain her. He was doubtless bound to put her away, since *GOD* himself had, as it were, forbidden the banns (*Lev. xviii. 16.*) even supposing the brother had been dead; for he had a daughter by *Herodias* living, named *Salome*, who would have been heiress to *Philip*. *Numb. xxvii. 7, 8.* See *Josephus*, *Ant. Lib. xviii. 6, 4.* *Doddridge*, vol. i. 166. note a. But as *Philip* was then living, *Herod* also sinned against the seventh commandment, in taking her at first; and therefore it was unlawful for him to have her at all. So in the case of *Abimelech*, who had taken *Sarai* the wife of *Abram*, he is commanded to put her away, and restore her to her husband, on pain of death. *Gen. xx. 7.* In all cases where the taking was forbidden, as well in *beaten* and *idolatrous*, as in *incestuous* connections, the retaining seems to be unlawful, as a constant repetition, and continuation of the for-

lity, in defiling a *virgin* who appears to have trusted herself under his protection, ver. 1. (Comp. ver. 7. latter part.) and then, with the rest of the *Shechemites*, profaning the holy rite of circumcision, by receiving it only for carnal and worldly ends, ver. 23, without the least view to it, as the holy ordinance of *JEHOVAH*, or as the seal of his covenant with those who duly received it. This affords an awful and instructive lesson to all, who take on them, either the *profession*, or, more especially, the *ministry* of religion, with wordly views, or to answer some *secular* or *sinister* purpose.

bidden act : but where the taking is no where forbidden, there is no *allowed* cause of *divorce*, or putting away, *except for the cause of fornication*, or the woman's having suffered herself to be *defiled* by another man, either *before* or *after* their coming together.

If we take the words of the primary institution merely by themselves, and judge of them by their *sound* (as the *Papists* do—*Hæc est corpus meum*—in support of the ridiculous lye of transubstantiation) they may be said to intimate that a man shall have but *one wife*, not only at *once*, but, as some have contended, as long as he lives ; and thus *second* marriages are forbidden : but if we consider them as explained by God himself in the subsequent parts of the scripture, they appear to mean that a man shall *cleave* to *any* and *every* woman that he marries, and not *put her away except for fornication*. I conclude this to be the import of the law, because, if it was meant to forbid *polygamy*, and to enjoin the *divorce* of a *second* woman taken, living a *first*, we should somewhere have met with an explicit determination of the matter ; but such a thing, or even an hint or trace of it, is not to be found. So far from it, God, in that declarative law, Deut. xxi. 15. absolutely ratifies the *second* marriage as much as the *first*, not only by declaring the issue of the *second* equally inheritable, but even to take place of the other as to the right of the *first-born*, if *born first*. This could not be, if taking the *second* was a forbidden act ; such

second

second taking, being prohibited, would have been *null* and *void*, as in other instances, and the man would have been commanded to have put away the *second* wife and her children, as was done in the case of other forbidden contracts. See *Ezra* x. 3. The direct contrary appears, for on the footing of that law, the man could no more *divorce* the *second* than he could the first; God calls them both נשים—which word, though, when it stands by itself, it denotes the *female sex in general*, like the French *Femmes*, yet in the connection it stands here, like the word * *Femmes* also, denotes *women in a marriage relation*, or *wives* as we translate it. God likewise determines the issue of both to be *equally legitimate*, by making them *equally inheritable*. This law was subsequent to the *Adamic* law, could not contradict it, therefore must be looked upon as entirely consonant with its whole intention; for God cannot contradict himself. That God made general laws subject to certain exceptions, on particular occasions, and for particular purposes, is very plain; we have an instance of this, *Deut.* xxv. 5. where a *brother* was to marry his *brother's widow*, though against the *general law*, *Lev.* xviii. 16; but this particular case was excepted out of that *general law*, for a particular purpose, which appears in the law itself (see before vol. i. chap. iv.) but where this was not the case, there the

* Quand un homme aura deux Femmes. Fr. Transl.

* *general law* was to be observed. The permissions of *divorce* which respected the *bondmaids*, Exod. xxi. 11. the *captive-women*, Deut. xxi. 14. seem also exceptions to the *general law*; but these are things peculiar to the *Jews* at that time, and cannot concern us. Therefore, as we live under the *general law* against *divorce*, delivered Gen. ii. 24. which equally binds all mankind, it is most assuredly as unlawful to abandon *one wife* as *another*, except for the cause of fornication. All divorces of *human invention*, fall as much under the interdict of God's law *now*, as in the days of CHRIST's dispute with the *Pharisees*; wherefore a *divorce*, which declares the nullity of a *polygamous* marriage, is not only without all foundation from God's word, but is an arraignment of the wisdom and holiness of God, as well in permitting, as in ratifying, blessing, and owning such contracts to be valid in all respects. That He did all this is manifest, as hath at large been proved, nor is there a single instance to the contrary throughout the *whole bible*.

* When King Henry VIII. was about to divorce *Queen Catherine*, all manner of people were consulted: among the rest, the *Jewish Rabbins*; who gave it under their hands, in *Hebrew*, that "the laws of *Leviticus* and *Deuteronomy* were thus to be reconciled—that the law of marrying the brother's wife, when he died without children, did only bind in the land of *Judea*, to preserve families, and maintain their successions in the land, as it had been divided by lot. But, that in all other places in the world, the law of *Leviticus*, of not marrying the brother's wife, was obligatory." Burnet Hist. Ref. p. 88. 2d edit.

This

This matter is not a mere speculative point, but of the most important concern; for if women, taken by men already married, were not *lawful* wives in God's sight, then *commerce* with them was *illicit*, and the issue must be *illegitimate*, and, if so, *uninheritable*.—Whither will this carry us? Farther, I dare say, than the most zealous *anti-polygamists* mean it should, even to the bastardizing the MESSIAH Himself. Unless an after-taken wife be a *lawful* wife to the man who takes her, notwithstanding his *former wife* be living, whether we take our LORD's genealogy on His *supposed father's* side with *St. Matthew*, or on His mother *Mary's* side with *St. Luke*, *Solomon* the ancestor of *Joseph*, and *Nathan* the ancestor of *Mary*, through whom our LORD's line * runs back to *David*, being the children of *Bathsheba* (whom when *Da-*

* *David* being, by God's own appointment, seated on the throne of *Israel*, which was settled on him and on his seed—became the *common ancestor* in whom the whole *royal family* might be said to center, and from whom the succeeding kings must make out a *legal title*—this is probably the reason why (Acts ii. 29.) he is styled the *Patriarch David*.

It is true that *ten of the tribes* were rent out of the hands of *Solomon*, 1 Kings xi. 31. but the kingdom of *Judah*, including the little tribe of *Benjamin*, still remained, which was inherited by a regular succession of *David's* lineal and lawful descendents, till it centered in the person of the *Man Jesus*, as to the *hereditary right*, though the *possession* of it had been long interrupted, and, according to that antient prophecy of *Jacob* (Gen. xlix. 10.) the *sceptre* and *lawgiver* were departed from *Judah*, when *Shiloh* came to set up a *kingdom not of this world*. Comp. Is. ix. 6, 7. Dan. ii. 44. with John xviii. 36.

vid

wid married he had also other wives by whom he had children) must fail in their legitimacy, consequently all that could be claimed from the common ancestor David must be defeated; for if there be a failure here, nothing can set it right even to the latest posterity. We must therefore either allow that polygamous marriages were valid and lawful in the sight of God, or deny CHRIST to be the son of David; for in the language of scripture, a bastard, or one corruptly born, is not a son*. So the apostle, Heb. xii. 8. Then are

* i. e. Not in a proper, legal, or inheritable sense.—In common acceptation the word בן may denote a boy or male child, of which an harlot, or even an adulteress, may be delivered, (see Judges xi. 1. and 1 Kings iii. 20, &c. 2 Sam. xi. 27) as the word son may among us—still this word is seldom used by us without some note of distinction, where a bastard is spoken of—such as natural or base-born son; so a female bastard is seldom called daughter—but natural or base-born daughter. The Hebrew word, Deut. xxiii. 2. for one corruptly or spuriously born, is זנוה, which is thus explained by Le Clerc:—"Hoc est—natus ex illegitima uxore, qualis erat peregrina mulier, quam Hebræus fortè compressisset, nec tamen duxisset, aut meretrix, aut cujus matrimonium lege vetitum erat. Selden de Jur. Nat. & Grot. lib. v. c. 16."—"A bastard is one born of an illegitimate wife, as of a strange woman (or foreigner) whom a Jew might have accidentally lain with, and yet could not have married; or an harlot, or one whose matrimony was forbidden by the law."—The Greek ποδος, a bastard, is opposed to υιος, a son. The Hebrew בן is used also for the male offspring of a brute, (see Zech. ix. 9. מִן הַבְּרִיָּה to which the υιος υαζου, Matt. xxi. 5. answers)—it therefore seems to denote, in a general sense, male offspring of any kind; but in the true, legal, and proper sense of it, when applied to the male offspring of mankind, frequently to denote lawful issue, in opposition to that which is corrupt or spurious.

ye bastards and not sons—υδοι και εχ υιοι.—Not could he be hereditary *king of Israel*. To make out His title to this, all his ancestors up to *David* must be proved to be *David's* lawful and *inheritable* issue, for that is one meaning of *the seed of David according to the flesh*. *Rom. i. 3*; as we should say, in modern language—*heir of his body lawfully begotten*. This could not be on any other footing than a *polygamous* marriage being as lawful as any other in the sight and judgment of the MOST HIGH; otherwise *Solomon* was *υδοι και εχ υιοι*—*a bastard and not a son*—through whom must be derived the heirship to *David* on CHRIST'S supposed * *father's* side. So likewise was *Nathan* a *bastard and not a son*, through whom CHRIST'S heirship to the throne of *Israel* must be derived on the side of His mother the *Virgin Mary*. It is sufficient to prove one link in the chain of CHRIST'S genealogy from *David* faulty, to defeat all His title to the appellation of *Son of David—King of Israel*. We might go farther, and say that *Reboboam*, the immediate descendent from *Solomon*, was also a *polygamist*. He took *Mahalab*, then *Abihail*, then *Maachab* the daughter of *Ab-salom* (whom, it is said, *he loved above all his*

* It is to be remarked, that the *Angel*, which is recorded to have appeared *Matt. viii. 20.* emphatically styles *Joseph*, ΤΙΟΣ ΔΑΒΙΔ—SON OF DAVID—a clear proof, that the whole line from DAVID had been kept pure from all *illegitimacy* and *bastardy*; but this could not have been, if the *Jewish* law, like ours, bastardized the issue of a *polygamous* contract, of which there were so many instances in the family between DAVID and JOSEPH.

other

other wives) by whom he had *Abijah*, his successor in the throne of *Israel*, and who stands on record as a *lawful* descendent of *David*. Matt. i. 7. See 2 *Chr.* xi. 18, 21, 22.

We might also reckon the good king *Josiah* among the *polygamous* kings of *Judah*; we read of *two* of his *wives*, 2 Kings xxiii. 31, 36. the name of one was *Hamutal*, the daughter of *Jeremiab* of *Libnah*, by whom he had *Jeboabaz*; and the name of the other was *Zebudab*, the daughter of *Pedaiab*, of *Rumab*, by whom he had *Jeboiakim*, the father of *Jeconiah*, who is found, Matt. i. 11, 12, in the line of *CHRIST*'s ancestors from *David*. For the character of *Josiah*, see 2 Kings xxiii. 25. *Like unto him there was no king before him, that turned to the Lord with all his heart, and with all his soul, and with all his might, according to all the law of Moses, &c.*

Now, to go no farther, if a *polygamous* marriage was *unlawful*, and of course *null* and *void* before *GOD*, then was not *CHRIST* legally descended of *the house and lineage of David*, but from a *spurious* issue, not only in the instances abovementioned, but also in others which might be mentioned. So that when *CHRIST* is supposed to condemn *polygamy* as *adultery*, contrary to the institution of marriage, and to the *seventh* commandment, He must at the same time be supposed

to defeat * his own title to the character of the MESSIAH, concerning whom God *had sworn to David*, that of the fruit of his loins, according to the flesh, He would raise up CHRIST to sit on his throne. See Acts ii. 30. with Ps. cxxxii. 11. The fruit of his loins in this place, and the seed which shall proceed out of thy bowels, 2 Sam. vii. 12. are expressed, 1 Chr. xxii. 9. by—Behold a SON shall be born unto thee—which, though primarily spoken of Solomon, ultimately points to CHRIST, as 2 Sam. vii. 14. with Heb. i. 5. demonstrably shew. Therefore CHRIST is emphatically styled THE SON OF DAVID.

How would all this stand by *our law*? Decius, a nobleman of large estate, having this, as well as his honours, limited to him and the heirs of his body, marries Decia, by whom he has no issue; then, living Decia, he marries Portia, by whom he has a son. Decius dies. This son cannot inherit the estate and honours of Decius, as heir of his body, nor can this be done by any of the descendants of that son to the latest posterity. The reason of which is, that we deem a po-

* Filius qui petit hæreditatem tanquam filius, debet probare filiationem. "A son who seeks an inheritance, or estate by succession, as a son, ought to prove sonship." This maxim of the civil law was also among the Jews; they excluded, on the authority of Deut. xxiii. 2. from all the privileges of the Jewish commonwealth, both civil and religious, not only all illegitimate issue, but even that whose legitimacy was any ways doubtful. See Univ. Hist. vol. iii. p. 117. note L. Comp. Judg. xi. 1, 2. Also Ezra ii. 62. Neh. vii. 64.

lygamous

lygamous marriage no marriage at all, but *null and void* to all intents and purposes whatsoever; but not so the *law of God*: which is *wisest and best*, must be left to the consideration of the *judicious* reader.

There is a remarkable circumstance in *David's* history, which I cannot help observing on this occasion, which is, that the adulterous offspring of *David* by *Bathsheba*, the wife of *Uriah*, begotten by *David* during the life-time of *Uriah*, is mentioned *twelve* times in *eight* following verses, 2 Sam. xii. 15, &c. and is not once called בן—a son, but הילד—the man-child. The prophet *Nathan* indeed says, ver. 14.—הבן הילוד לך—the son which is born unto thee—which carries with it a sharp reproof of *David*, who, before he came to a sight and sense of his sin, might have called it so himself; but after he was awakened to a due sense of his iniquity, not all the torments which he endured while the child was sick, nor the news of its death, ever induced him to call it בני “my son,” but הילד—the man-child. How differently did he express himself on the news of the death of *Absalom*, 2 Sam. xviii. 33, and 2 Sam. xix. 4. where *eight* times in *two* verses he repeats—O *Absalom*, my son! my son! &c. I'll venture to suppose that, if *David* had been asked the cause of this distinction, we should have reason to think he saw a most important difference, between a child begotten in *adultery*, and a son begotten and born under *polygamy*.

I think the prophet *Nathan* used the word

son in an *improper* sense, as abovementioned, and for the reason there given; because the *child*, being begotten in *adultery*, was a *bastard*, not a *son*, in the legal sense of the word. בן—a *son*, is from the root בנה, which signifies to *build*, as an *house*, a *city*, &c. therefore בן—a *son*, is so called, in the true legal and proper sense of it, because he *builds up* or *continues* his *father's house* or *family* *. The *child* therefore of *David's* adulterous intercourse with *Bathsheba*, was not properly a *son*. And the *Holy Spirit*, ver. 15, when He returns to the narrative of *God's* dealings with *David* for his iniquity, saith, And *JEHOVAH* struck, (not הֵבֵן—the *son*, but) הִילֵךְ—the *man-child*, (see *Exod.* i. 17, 18.) which *Uriah's wife* bare unto *David*: and we do not find this unhappy offspring ever mentioned afterwards, either by *David* or his *servants*, by any other name. We use the word *son* much in the same sense with the *Hebrew* בן, to denote *lawful issue*. If a man makes a will, and leaves his estate and effects to his *son* or *sons*, no *bastard* could take under this description, the word *son* only denoting *lawful issue*. Hence no *bastard* can have any ancestors to whom he can inherit or be an *heir*—but, as saith the *apostle*, *Gal.* iv. 7. If a *son* then an *heir*, which explains what he means (*Rom.* viii. 17.) by saying—If *children* then *heirs*, &c.; for it is as true in the scrip-

* In this sense the word בן seems emphatically used *Gen.* xxii. 2, 12, 16.

tures as in our law—" *qui ex damnato coitu nascuntur, inter liberos non computantur*"—" those who are born from illicit commerce are not reckoned amongst children." It follows, therefore, that our LORD's ancestors, *Solomon, Nathan, Abijah, &c.* in the direct line from *David*, must all be deemed of God the issue of *lawful* marriage, otherwise He is not the *Son of David*—the *King of Israel*. The lawfulness of *polygamy* must of course be established, or the whole of *Christianity* must fall to the ground, and *CHRIST* not be *He that was to come, but we must look for another.* *Matt. xi. 3.*

Our divorces, *causâ præcontractûs*, or because of an antecedent contract on the man's side, are without the *divine authority*, and stand wholly on the inventions of men upon the subject of *polygamy*; these originate from the received notion that though *polygamy* was "allowed under the Old Testament, it is forbidden under the *law of the New Testament*;"—wherefore all *polygamous* contracts are *null* and void* in themselves, and the

* I do not find that the *ecclesiastical courts* have gone any farther in such a case, than merely pronouncing a *polygamous contract null and void, ab initio*—I cannot meet with any instance of their punishing a man as an *adulterer or fornicator*.

These courts are called *spiritual*, because they take cognizance of offences of a *spiritual and religious kind*, and they profess to judge by the *law of GOD*—but where is there to be found, in all the *law of GOD*, either a precept or example to justify this sort of divorces, *causâ præcontractûs*? The truth is—they make void the law of

the parties entering into them are to be divorced. But as there is *no law* in the New Testament which is not in the Old Testament, the latter must for ever remain as the invariable rule of right; wherefore all *divorces* whatsoever, which have not their grounds and reasons in the *divine law* which was delivered by *Moses*, are encroachments on the *divine prerogative*, and amount to the sin of—*putting asunder those whom God hath joined together*.

Polygamy on the man's side (for that is the sense in which I would be understood to use the word throughout this whole book) is no cause of *divorce*, either with regard to the former or to the after-taken woman; had it been so, we surely should have found some instance of it in the *History of the Church*, from *Adam* to the time of the prophet *Malachi*, that is to say, in the space of about 3600 years. Nor is it to be imagined, that God should suffer His own *chosen* people to have continued in the open and avowed

God through their traditions; and a man who is divorced on such an account may very justly, with a little variation, apply to the judge who pronounces the sentence of *divorce*, what was said by *Paul* to the high-priest ANANIAS on another occasion, Acts xxiii. 3. *Sittest thou to judge me after the law, and commandest me to be divorced contrary to the law?* The right of the ecclesiastical powers to divorce the man, and the right of the civil powers to hang him, are equally without all foundation in the divine mind and will, as revealed in the scriptures, and are built on that *anathema* of the council of Trent, concerning the “unlawfulness of *polygamy* to Christians.”

practice

practice of living with *more wives than one*, if the very first positive law, which is evidently the foundation of all others upon the subject, was intended to forbid or prevent such a practice; as little is it to be conceived, that He should make laws for the regulation of it, if He had forbidden the very *thing itself* to be done at all.

As to the *divorces* which *Moses* permitted, it was a mere *toleration*, to avoid worse consequences, if those *hard-hearted Jews* had been forced to keep their hated wives. It was no repeal, or even suspension, of God's positive law, but only operated as an exemption from the censure and animadversion of the magistrate *; it was no less a breach of God's law in those who did it, than if such *permission* had never been given; as our LORD evidently shews in His discourse with the *Pharisees*, in his exposition and application of the antient *law of God*, and in the conclusion which He draws from it. So, though our *ecclesiastical* courts take upon them to pronounce a contract *null* and *void*, which is entered into with a *second* wife, living a first, yet this does not affect the matter in the sight of God, they are not the less *husband and wife*; for being joined together according to His institution, and thus being pro-

* It would have been very injurious to have punished the *women* who left their husbands under a *bill of divorce*, even though they went to another man, seeing this was by the husband's own act and deed; for—*Volenti non fit injuria*.

nounced by Him *one flesh*—the command is—*let not man put them asunder*.—All such divorces are therefore null and void, and as ineffectual to dissolve a marriage in the sight of God, as *Moses's* bill of divorcement was. On the footing of God's law, *Jacob* could no more have abandoned *Rachel*, his second wife, than *Leab* his first * ; nor could *Elkanah* have any more divorced *Hannah* than *Peninnah*—nor could King *Jeboash* have put away either of those wives which *Jeboiada* the high-priest had taken for him. Why ? because God's primary law was, that *a man shall cleave to his wife, and they shall be one flesh* ; or, as it is expressed in that explanatory passage, Deut. xxii. 29. *She shall be his wife, BECAUSE HE HATH HUMBLLED HER, he may not put her away all his days*. This positive command of God stands *unrepealed*, for the reason on which it is apparently

* *Abraham's* putting away *Hagar*, is not the least exception to the rule here laid down, for this was done by the IMMEDIATE COMMAND of *Heaven*, not only to deliver *Sarah* from the insolence of *Hagar*, and *Isaac* from the persecution of her son *Ishmael*, (comp. Gen. xxi. 9. with Gal. iv. 29.) but to hold forth, in a prophetic type and figure, what was to come to pass in the latter days, when the seed of *Abraham*, according to the flesh, should be rejected for their unbelief, and persecution of the true *Isaac*, and the spiritual children of *Abraham* (see Gal. iii. 7.) be called to inherit the promises. See this whole matter opened and explained—Gal. iv. 22, &c.

Besides, it may be observed, that here is nothing said of a bill of divorce, the word made use of is גרש—which signifies to expel, drive, or thrust out, or, as we should phrase it—turning her out of doors—and is applied to *Ishmael* as well as to *Hagar*, ver. 10.

founded

founded must be the same for ever, and bears a direct and absolute testimony against all *divorces* of human invention, whether by those of old who made the law of God *void through their traditions*, and *taught for doctrines the commandments of men*, or by their *successors* of more *modern* date, and actually confines them to those cases *only* which are mentioned in the *word* of God. It cannot be shewn from that *word*, that a man's having a *wife*, and afterwards (living the first) marrying another, is a cause of *divorce* from *either*, or that *such* marriage was deemed *null* and *void*, or forbidden, or even *found fault* with, much less *condemned*, in any one single instance; but it is very easy to shew the direct contrary, that is to say, that where-ever *any man* received the person of a virgin into *his possession*, he (if she was not betrothed or espoused to another) by that *single act* made her *his wife*, and was absolutely forbidden to *put her away all his days*: this, let the man's *situation* be what it might. God made *no* difference, and those who *do*, not only have no authority but their own, but use that authority (like the *Pharisees* of old) in direct opposition *to*, and defiance *of*, God's express command. They may be said to *make the hearts of those sad, whom God hath not made sad*, Ezek. xiii. 22. by making that *sinful* which God hath not made *sinful*, (for *where there is no law, there is no transgression*) and this *by their lyes*—and *to strengthen the hands of the wicked*, by releasing them from
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the indissoluble obligations which God's law lays them under, and thus facilitating the designs of *seduction*, *lewdness*, and *debauchery*, which God's law was evidently made to prevent.

One safe rule whereby we may judge of the laws delivered by *Moses*, as binding or not on *Christian* men, I take to be this—namely—the considerations on which such laws were given; and the reasons on which they are grounded. For instance—the reason for establishing the *ceremonial* law, was to set out and shadow forth *good things to come*—*Heb. x. 1.*—therefore when those *good things did come*, that law had done its office, answered its end, therefore *waxed old and vanished away*. *Heb. viii. 13.* So there were many political institutions, adapted particularly, some to the situation of the *Jews* during their *journeyings* through the *wilderness*—others to their subsequent abode in the *land of Canaan*—calculated for their government with respect to the peculiarity of their situation, not only with regard to themselves, but to that of the *nations* about them. These being *local*, and peculiar to their dispensation, as well under the *theocracy* administered by *Moses*, *Joshua*, and the following *judges*, as under the government of their *kings*, are not binding on *Christian* men, whose situation, from the very nature of the thing, can never be the object of those *local*, or *temporary statutes*.

But when we find a law given, which is
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of perpetual and *universal* concern; such as relates to the preservation of *millions* from destruction—to the defence of the *weak* against the *strong*, and the support of God's moral government in the world, in one of the greatest of all concerns to society, the *commerce of the sexes*, there, as the *reasons* of those laws can never cease, those *laws* themselves must be of universal and perpetual obligation. Otherwise it would be making *laws* which are not commensurate with the *reasons* on which they are founded, or, in other words, God's governing His people for a limited time, and then leaving them without any government but *their own*.

We admit that God's law still condemns *whoredom*, *fornication*, and *adultery*, and hold those marriages to be illegal, which the law of *Moses* hath made so, on account of *affinity* and *consanguinity*; but we renounce the positive law which binds for ever the *virgin* to the man who has *humiliated* her, though this very law was evidently enacted to prevent those mischiefs which arise from *seduction*, and is, in the very terms of it, clearly in affirmation of that *primary* and *universal* law, *They shall be one flesh*: but as there is the same reason for the *continuance* of this law, as there was for *giving* it at first, namely to prevent *whoredom* and *fornication*, and all the mischiefs which are the consequences of *taking* women and then *abandoning* them, it is doubtless among those *indelible* statutes, which are as unalterable as the reasons on which the

the *all-wise* LAW-GIVER founded them. As nothing can make a *marriage* in GOD's sight but His *own* institution, so nothing can make a *divorce* lawful before Him but His *own* authority. To assert the contrary, is to set man's law above GOD's law; which is in effect to take part * with the *man of sin, the son of perdition, who opposeth and exalteth himself above all that is called GOD, or that is worshipped; so that he, as GOD, sitteth in the temple of GOD, shewing himself that he is GOD.* 2 *Theff.* ii. 4. One character of this *man of sin* was, that he should *think to change times and laws.* Dan. vii. 25.—Our LORD's opposite character to this is very apparent in all He said and did, but no where more so, than in what He said on the subject of *divorce*, in His dispute with the *Pharisees*, Matt. xix. 4, &c. He there shews from the *divine law*, what *makes a marriage*, and, taken in connection with chap. v. 32. what *dissolves it*, and authorizes *divorce*—while we, like the *Pharisees*, make and unmake marriages just as we please, and, if we do but steer clear of a *priest* and an *human ceremony*, may take and put away as many women as we can seduce.—Methinks a *Jew* might exclaim against us in the words of *Shylock*—

“ O father *Abraham*, what these Christians are !”

* The Council of *Trent* actually pronounced an *anathema* against any who should say, that the “ *church* ” might not dispense with some of the *impediments* mentioned in *Leviticus*, or add others.” *Brent. Transl. of Polano, 784.*

Especially

Especially if he took *his Bible*, and contrasted the *law of Heaven* to our laws, as they *now* stand, relative to the subject of marriage.

Even the antient **Goths* may serve to shame us—for they obliged him who debauched a *virgin*, to marry her, if she was equal to him in rank; if not, he was constrained to give her a fortune equal to his own condition; if he could not give her such a fortune, he was *condemned to death*, because a woman thus dishonoured had no chance of obtaining an husband without a *fortune*, and because it was by marriage only that a state could be properly peopled. See *Alex. Hist. Wom.* vol. i. p. 148.

So in the business of *adultery*:—the antient *Germans* allowed the husband to assemble the relations of the adulteress, in their presence to cut off her hair, strip her naked, turn her out of his house, and whip her from one end of the village to the other. A woman thus publicly exposed, could never wipe away the stain of so foul an infamy, nor could any motive ever prevail on another to marry her, though youth, beauty, fortune, and every advantage combined to allure him.

* As may, in many respects, the *Hottentots*; for, as *Kolben*, in his *History of the Cape of Good Hope*, informs us—they suffer no *promiscuous* intercourse with their women—they punish *adultery* with *death*—they allow the validity of *polygamous* marriages—in all which particulars, they follow, though they know it not, the law of *Moses*—whereas *we Christians*, to whom are committed the oracles of God, directly counteract it in these very important particulars.

Ib.

Ib. p. 151. We CHRISTIANS, *reward* the *adulterers* with a *divorce*, which enables her to become the legal property of the *adulterer*; that is to say, if the injured husband can afford the enormous expence of it, if not, he must be plagued with the woman during life. But to return——

The mischiefs arising from *unlawful divorce*, (for such I call *all putting away* which is not authorized by the *divine law*) are dreadful to think of, none can enumerate them, unless they could distinctly count the miseries of *prostitution*. This can exist on no other foundation than men *taking* women, and *putting them away* just as and when they please; a practice as contrary to the *primary law* of nature established at the beginning, as to every thing CHRIST laid down on the footing of that law in His discourse with the *Pharisees*. I will allow, that, here and there, instances may be found of *females*, who owe their ruin to their own vicious inclinations, and who have nobody to blame but themselves; but for *one* instance of this sort, *hundreds* owe their destruction to the baseness and treachery of their *seducers*. The *divine law* was levelled at both these cases—if a virgin *played the whore* by prostituting herself, it was a *capital offence*—if a man enticed a *virgin*, &c. he was to *endow her to be his wife*, and not *put her away all his days*. While these *laws* were in force and vigour amongst the *Jews*, as to the observance of them, there could be no *whore among the daughters of Israel*,

raet, Deut. xxiii. 17. When *Moses* found it necessary in *some cases*, mentioned Deut. xxiv.

1. to suffer them to put away their wives, the same *hardness of heart* which occasioned this measure of *policy*, (for so it certainly was) led them to abuse it to purposes of great licentiousness, of which *adultery* grew to be the consequence, as may appear from Deut. xxiv.

4. a scripture little considered and understood, but the basis of what CHRIST said to the *Pharisees*, Matt. xix. 9.—Still we read of no *brothels*, no public *prostitutes* of the *daughters of Israel*. If the wife, who was unjustly divorced, married another man, she committed *adultery*, the man who married her committed *adultery*, and the first husband, by being the *cause*, was liable to the guilt of such *adultery*; and though the severity of the law, as to the *temporal* consequences, was suspended by the *bill of divorcement*, yet in God's account the primary *law of marriage* was violated, the law of the *seventh* commandment broken, and the delinquents were answerable at the bar of the divine justice, as transgressors of the *divine law*. So said the law itself, as explained by CHRIST, Matt. v. 32. xix. 9. Mark x. 11. Luke xvi. 18.

Now to apply this.—The *obligation* created by the law of marriage is one and the same for ever, so must all those laws be, which God gave by *Moses* to explain and enforce it; as Exod. xxii. 16. Deut. xxii. 28, 29 *.

Our
* Dr. Alexander, Hist. of Wom. vol. ii. p. 236. speaking of the privilege of *divorce* among the *Jews*, adds, in allusion

Our laws and customs may be compared to the *bill of divorcement*, which put *asunder those whom God hath joined together*; so that if a man take a virgin, (not betrothed) and lie with her, he is under no obligation to her whatsoever, he may put her away for every cause—she may go and be another man's wife; and this, so far from being reckoned *adultery*,

allusion to the law of Deut. xxii. 28, 29.—“ But he who deflowered a virgin forfeited it, and the law obliged him, in compensation for that injury, not only to pay her father fifty shekels of silver, but to marry and retain her for life.” “ Was it possible,” says he, to devise a law that more strongly protected female chastity?”—It certainly was not possible—and the abolition of this law is equally ruinous to the female sex, and an insult to that God who so graciously consulted their security and protection. This is best accounted for, by considering that our present *system of law*, with respect to the *commerce of the sexes*, has, in a great measure, been handed down to us from the *church of Rome*—that the churchmen thereof, in former ages, had the framing and fashioning matters as they pleased—that as all marriage was forbidden them, they took special care to make themselves amends, by keeping those laws out of sight, which, had they been retained, must have sadly interrupted their monstrous debaucheries, as well with regard to *virgins* as *married women*, “ which were often carried to such lengths as we should scarcely credit (says our author) were we not assured of them by the most authentic records.” Had the law of Lev. xx. 10. been retained, the churchmen could not very *safely* have defiled *other men's wives*—and as they could not take any woman for their *own*, the laws of Exod. xxii. 16. and Deut. xxii. 28, 29. could not possibly be obeyed—therefore it was expedient to leave them out of their system. They now, from long disuse, have sunk into oblivion, and perhaps there are thousands of those, who call themselves *Christians*, who do not recollect that there are such laws as these in the *Bible*.

as by God's law it certainly is, is accounted a *virtuous* action; it makes her an *honest* woman, as the *phrase* is; such a marriage (though doubtless *adultery*, in the sight of God, in the man who by *putting her away* caused her to commit it—in the man who *marries her who is so put away*—and in the woman who *marries another man*, living the first who possessed her) is accounted a *cleanser*, as it were, of all former *defilement*, takes out the *spots* from the woman's character, and has been by some ludicrously styled “the *fuller's earth* of reputation.” All this monstrous wickedness is, as to the guilt of it, as much kept out of our sight, by our laws and customs, as the guilt of the divorcing *Jews* was kept out of theirs by the *bill of divorcement*. Well might our Blessed LORD say, *Luke xvi. 15. That which is highly esteemed among men is abomination in the sight of God!* The place which those words stand in, shews them to relate in a particular manner to what He says at the 18th verse, touching the point of *unjust divorce*, they stand in the same context; which plainly reaches from the words—*And He said unto them*, ver. 15. to the end of ver. 18.

As to the consequences of such *taking* and *unjust divorcement*, with respect to far the greater number of *seduced females*, who (abandoned to all that *infamy*, *want*, *disease*, and even *death itself* can bring upon them) are—

At once the *prey* and *scorn* of all they meet,
Swarm in each brothel, and infest each street—

as I shall consider their situation, with its effects and consequences, both to themselves and the public, in the conclusion of this work, I will say no more of it here, but proceed to consider the *commerce of the sexes*, as it concerns society in general, and is therefore the object of human laws, more particularly with regard to *marriage as a civil contract*.

C H A P. VII.

Of MARRIAGE *considered in a CIVIL VIEW,*
as the OBJECT of HUMAN LAWS.—
 EXAMINATION *of the PRINCIPLES and*
 TENDENCY *of the MARRIAGE-ACT.*

HAVING before considered *marriage as a divine institution*, as ordained of God, and by Him defined in what it shall consist (see before vol. i. p. 18—20) I cannot help once more observing, that, in this view of it, no human power has the least authority *
 to

* Some have properly distinguished marriage as *two-fold*, consisting in a *two-fold bond*, called *vinculum internum*—an internal bond, and *vinculum externum*—an outward, or external bond. The first of these arises from the *union of the male and female in one body*, and is rendered *indissoluble* by the command—*they shall be one flesh*. Compare Gen. ii. 24. with 1 Cor. vi. 16. This cannot
 be

to interfere, so as to make that *null* and *void* which God hath made *valid* and *binding*; or to say that those are not *one flesh* whom His word hath made so; or to put *asunder* those whom God, by his own ordinance and command, hath *joined together*. Nor hath any human legislature the least authority to determine who *shall*, or who *shall not*, marry together, unless its law be declarative of or coincident with the law of God.

But forasmuch as *marriage* must, in the very nature of the thing, concern the outward order of *society*, it becomes, in that point of view *only*, an object of human laws in the light of a *civil* contract; the recognition of which, as to *civil* purposes, is of much consequence to the *state*; therefore certainly every state has a power, not only to require such recognition, but under such *terms*, and under such *conditions*, and by such *means*, as may appear to the legislature most

be dissolved during the lives of the parties, but by an act of *adultery* in the woman, which totally vacates it, and releases the man from all obligation whatsoever. The *vinculum externum*, or outward bond, arises from the recognition of the other by some outward rite or ceremony in the sight of men. This, as to the mode of administration, is different according to the various customs of mankind, and is the *object of human laws*; but the other is one and the same, as to its essence and obligation, in all ages and places, and no more controulable, in these respects, by *human laws*, than any other works of *creation* or *providence*. To assert the contrary, is that species of *atheism* which strikes at the wisdom, holiness, perfection, purity, and stability of the DIVINE LAW, as well as at the uncontroulable sovereignty and immutability of the DIVINE LAW-GIVER.

expedient for the security of inheritances, family descents, pedigrees, and other wise purposes, which are to be answered thereby, still not interfering with the *thing itself* as between God and the *parties*, but leaving this as it stands in the *Bible*.

This distinction has not been attended to as it ought, therefore the laws of this country, like the laws of most others, have intrenched on the *divine law*, making crimes, and ordaining punishments, which are not only unwarranted by it, but are directly opposite to it: as a proof of this, we need only turn to the *Statute Book*, and read 31 Hen. VIII. c. 14. which made it "*felony* for a " man in *holy orders* to marry, both in him, " and in the woman." So 1 Jac. I. c. 11. which enacts, that " if a man, being married, shall marry another woman, his first " wife being alive, he shall be deemed a " felon, and suffer death as such."—The first of these two laws was repealed long ago, but the latter is still in force, and, but for the *benefit of clergy*, a man who had *two wives*, would be sent to the *gallows* with *murderers* and *highwaymen*, though there is no more warrant for this in the word of God, than there was for making a *priest* a *felon* for marrying at all, or for *burning* a man under the writ *de hæretico comburendo*, for being such an *heretic* as to deny that a piece of *wafer*, after a *priest* has muttered some words over it, is a *human body*. Vulgar errors, while remaining merely in the minds of
men,

men, however they may affect the individuals who believe them, may be very *harmless* things with respect to those who are *wise* enough to search and think for themselves, and therefore differ in judgment; but when they are obtruded upon the consciences of men, armed with the terror of sanguinary laws, even unto death itself, they are formidable to the last degree; and those are to be remembered as some of the best friends to mankind, who have had the *wisdom* first to form their own opinions by the scripture of truth, and then the *courage* to attack, and the *success* (under Providence) to defeat, some of these *monsters*, though doubly guarded and defended by *laws* of *church* and *state*. No opinions, however sacred in the estimation of mankind, can in the least affect the truth of God with respect to the *moral* world, any more than different systems of *philosophy* can affect or change the smallest atom in the visible creation—God's government over *both* is utterly unassailable by mortals, unchangeable by human power or wisdom. The *phænomena* of day and night, depend not on the systems of the *Ptolemaic*, *Cartesian*, or *Newtonian* philosophy, but on the wisdom and power of him who *created all things*, and *upholdeth them by the word of His power*. So with respect to *marriage*, which is as much an ordinance of God, as the ordinances of the material heavens are, (Jer. xxxi. 35, 36.) it is, with respect to itself, as uncontrollable by human power, as

the rising or setting of the *sun* and *moon*, Errors in philosophy cannot change these—errors in divinity cannot affect the other: therefore that which constituted a *marriage* at the *beginning*, will constitute it to the *end*, though every legislature upon earth were to combine in a law to make it *null* and *void*.

I am now led to speak of a *law*, which I cannot mention, or even think of, but with indignation, I mean 26 Geo. II. c. 33. intitled *An Act to prevent Clandestine Marriages*.—This law seems to me, and I am by no means singular * in my opinion of it, to go farther than any other upon the subject ever went, by striking in the very terms of it at the *Divine institution*, so as to render it *null* and *void to all intents and purposes whatsoever*, if certain circumstances invented by the human legislature † are not complied with.

As

* I have been credibly informed, that the late *Duke of Bedford* attempted an abolition of the *Marriage-act*, and that he lost a motion made in the *House of Lords* for that purpose but by one voice.—My informant was present at the time.

† Among the *Romans*, the *Papian law* declared those marriages illegal which had been prohibited, and yet only subjected them to a penalty; but a *senatus consultum*, made at the instance of the Emperor *M. Antoninus*, declared them *void*; there then no longer subsisted any such thing as a *marriage*, *wife*, *dowry*, or *husband*. See *Montesquieu*, *Spirit of Laws*, Book xxvi. c. 13. By this it appears, that the *heathenism* of our *Marriage-act* is by no means unprecedented. To this another precedent may be added from the *Popish council of Trent*, where, after many long arguments pro and con, *clandestine*

As far as this law was meant to *prevent clandestine marriages*, from which, as the preamble sets forth, "great mischiefs and inconveniences have arisen"—it was within the jurisdiction of the legislature to enact it; that is to say, so far as the matter related to *marriage* in the light of a *civil contract*; but when it makes the marriage *null and void* to all *intents* and *purposes whatsoever*, so as to release the parties from the *bond of marriage*, with respect to each other in the sight of God (for nothing less can be understood by those words) it *puts asunder* those whom God hath joined together, and amounts to a *repeal* of the law and ordinance of THE MOST HIGH; for, by this act, parties who are actually married in the sight of God, and in

tine marriages were at last decreed to be *null and void*. However, this was by no means done unanimously, many dissented, and thought that the *church* had no authority in the matter, it being a *divine*, not an *human* ordinance, and, according to a saying of *Pope Innocent III.* "not to be dissolved by any power of man." When the day came for giving their voices for the decree (Nov. 11, 1563) Cardinal *Varmiense* would not be present, thinking the church had no authority in the matter, and saying that if he were present, he should be forced to declare, for the satisfaction of his own conscience, that "the synod had no power to make that decree." Cardinal *Morone* said, that it pleased him, if it pleased the *Pope*. *Simoneta* said, it did not please him, but referred himself to the *Pope*. Of the others, fifty-six did absolutely deny, and all the rest did approve it. See *Brent. Hist. of Coun. of Trent*, fol. 671, 783. However, they declared clandestine marriages to have been true and lawful, so long as the *church* did not disallow them, and *anathematized* him who did not hold them for such. Ib. 784.—What trifling with God's law and men's consciences!

their own consciences, are set free from each other—the man may abandon his wife, the wife leave her husband, and marry another man. *Let not the husband put away his wife,* 1 Cor. vii. 11.—and *Let not the wife depart from her husband, but and if she depart, let her remain unmarried,* ver. 10, 11.—have now no place, where the institution of God is only concerned; for it is not the ordinance of God, but complying with the terms of an act of parliament, which makes a marriage, and which said terms are not one * of them found in the Bible as constituting marriage in the sight of God. If after the words “such marriage shall be null and void,” there had been added, “as touching and concerning such or such civil rights, privileges,”
“or

* It must be allowed that Sect. 10, which concerns the marriage of *infants under age*, without consent of parents and guardians, has some authority from the scriptures, but it goes too far;—the scriptures give a power to the father of a woman, being in her father's house in her youth, to vacate any vow she made without her father's knowledge or consent (Numb. xxx. 4, 5.) and of course any betrothment or espousal which she had entered into, *per verba de futuro*, or *de presenti*, but could not vacate an actual marriage, the act which constituted this, was irrevocably gone and past, and had transferred all dominion over the woman, into the hands of the husband. See before vol. i. p. 26. It is to be observed, that the power over vows was confined to fathers only, and this only in the case of daughters—or to husbands in the case of wives, which last superseded all authority which could be derived elsewhere. See Numb. xxx. 6, 7, 16. Gen. iii. 16. latter part, Gen. ii. 24. Pope Paul IV. made a constitution, ann. 1557, that marriages made by sons before the age of thirty, and of daughters before the
age

“ or immunities, given to married persons
 “ by any law, statute, or custom of this
 “ realm,” this might have fallen within the
 line of *human* jurisdiction; but to affect the
divine institution itself, so as to make that
null and void which God hath ratified by say-
 ing—*they shall be one flesh*, is a sacrilegious
 attempt to repeal the law of Heaven, just as
 much so as interfering with any *other* ordi-
 nance of God, as to its *validity*, unless ad-
 ministered according to *act of parliament*.

The *Popes* of *Rome* have made very free
 with the laws of God, even to the striking
 the *second* commandment out of the *Deca-*
logue, because it bore a little too hard on
 the *idolatry* of the *church* of *Rome*; but in-
 stead of *one*, we have struck out *many* of
 God's commandments—*viz.* Gen. ii. 24.
 Exod. xxii. 16. Deut. xxii. 28, 29. because
clandestine marriages bore hard upon the pride
 and ambition of the *nobility and gentry*.—
 But to return to the main point—

age of twenty-five, without consent of father, or of him
 in whose power they were, should be void. *Brent. Hist.*
Counc. Trent, 407. The same *Pope* sent a *monitorie* to
Dame Joan of Arragon, wife of *Ascanius Columna*, that
 she should not marry any of her daughters *without his*
leave, or if she did, the matrimony, though *consum-*
mated, should be *void*. *Ib.* 749. Our law seems to
 quadrate exactly with this *papal monitorie*, in assuming
 a power to *vacate* marriages, which are not made by
leave of the parliament; even though consummated. *Pope*
Paul's monitorie was a bold encroachment on the divine
 prerogative, but that of the *British parliament* was much
 more so;—the first respected the individuals of a single
 family—the latter those of a whole nation.

To

To illustrate what has been said on the subject of intermeddling with God's ordinances, let us suppose a case—*Baptism* is a *divine ordinance*, ordained, both as to the *sign* and *thing signified*, by CHRIST according to the *prophecies* of the Old Testament. The words by which this ordinance was set forth, are to be found Matt. xxviii. 29. *Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.* This is the *whole ordinance of baptism*, and our *church* rightly declares—Can. xxx.—that “when the *minister*, dipping the infant in water, or laying water upon the face of it, hath pronounced these words—*I baptize thee in the name, &c.* the infant is fully and perfectly baptized, so as the *sign of the cross* being afterwards used, doth nothing add to the perfection and virtue of *baptism*; nor, being omitted, doth detract * any thing from the effect and substance of it.”—Now let us suppose that *ministers* should scruple to use the *sign of the cross* in *baptism*, that this should grow so general, as almost to amount to an abolition of the ceremony; this being complained of to the *higher powers*, they enact a law for the restoration of it, in which is the following clause—“And be it further enacted by the

* Why is this?—Because the *ordinance of baptism* is simply *that* which God hath *made it*. For the same reason, marriage is simply *that* which God hath *made it*. Therefore no additions of man's invention, or the want of them, can affect the *marriage union* (any more than the *baptism*) in God's sight.

“ authority

“ authority aforesaid, that no persons who
 “ shall be baptized, not having the *sign of*
 “ *the cross* made upon their foreheads, shall
 “ be deemed or reckoned members of the
 “ *Christian church*, but such *baptism* shall
 “ be *null and void to all intents and purposes*
 “ *whatsoever.*” Can any person, who has a

true regard for the word and ordinances of God, maintain that such a law could in the least affect the state and condition of a person so baptized, before God, or that he would be, in the divine account, less a *member* of the *Christian church* because of such a law? Would it not be a sacrilegious attempt to alter God's own ordinance, and to make it subject to the law and will of man, and as such to be despised and abhorred by all the faithful?—Where then is the difference?—God is as express and determinate as to the *one* marriage ordinance, as to the *one* ordinance of *baptism*: therefore by no rule of sound reason can it be proved, that *both* are not equally out of the reach of *human* authority, so as that *man* can neither *add* to nor *diminish* from either, in the sight of God.

That human authority may order an outward *marriage ceremony*, or a public *baptism*, to be used or administered at such a given time or place, I do not dispute; nor do I doubt but those may be punished who transgress such order—but that such things can affect the validity of a *divine institution*, with respect to *itself*, must surely be denied by all who will allow God to have a sole exclusive jurisdiction

jurisdiction and authority over His own appointed ordinances. When therefore God says that if a man lies with a *virgin not betrothed, she shall be his wife*, BECAUSE HE HATH HUMBLD HER, *he may not put her away all his days*, which is but an explanatory way of saying—*they shall be one flesh*—an human law which adds—“ provided such and “ such conditions be observed, as *banns* or “ *licence*, otherwise such marriage shall be “ *null and void to all intents and purposes* “ *whatsoever* (which is but an explanatory “ way of saying they shall *not be one flesh*”) is as palpable a denial of God’s *institution*, as to its *validity*, as can well be conceived ; as also an absolute contempt of the words of CHRIST, in the conclusion which he draws from the *divine* declaration—*What God hath joined together let not man put asunder*. It would be a most absurd attempt, and what all the world besides would laugh at, if the *parliament* of *Great Britain* were to pass an act to alter the laws of *France* and *Spain* ; but it is more absurd, and what we ought to grieve at, because it is wicked, when men enact laws which in their aim and tendency would alter or repeal the fixed, established, and immutable *laws of heaven*.

The solemnity of that sort of engagement which the scriptures call *betrothing*, inso-much that it was *death* to defile a *betrothed virgin*, was held in great veneration in the *church of Israel* ; so was it amongst us antecedently to what is called the *Marriage-act*,

26 Geo. II.—our *ecclesiastical* courts * would have compelled the solemnization of a marriage so contracted by *verba de futuro* or *verba de præsentì* (but more especially where it became a marriage *de facto* by *carnal knowledge*) in *facie ecclesiæ*: but all this is now set aside, and the most *solemn* contract that can be entered into between the parties, signifies just nothing at all; they may forsake each other just as they please, for it is enacted, that, “ in *no case whatsoever*, shall any suit or proceeding be had in any *ecclesiastical* court in order to compel a celebration of *any* marriage in *facie ecclesiæ*, by reason of any contract of matrimony whatsoever, whether *per verba de præsentì*, or *verba de futuro*, any law or usage to the contrary notwithstanding.” Here, we may say, is a *coup de grace* given to the small remains of

* When I mention *ecclesiastical courts*, I would not be understood to mean that even their *being* and *establishment* is of any *divine right*, much less their *jurisdiction* and *proceedings*; they certainly were the inventions of the *Popes* of *Rome*, as instruments and executioners of their oppression and tyranny over the persons, properties, consciences, and lives of mankind; their jurisdiction in matrimonial affairs was finally settled by the *council of Trent*, which decreed, that “ If any say, that matrimonial causes do not belong to *ecclesiastical judges*, let him be accursed.”—See *Brent. Hist. of Counc. of Trent*. 784. This horrible and antichristian decree (for no trace of such a thing is to be found in the scripture) bears date ann. 1563, about three hundred years after *Pope Innocent III.* had thrown the ordinance of marriage as a *sacrament* entirely into the hands of the *priests*.

female

female security which had been preserved * in our laws; for now, let the contract be *what it may*, the injury arising from the breach of it ever so great, the consequences to the *enticed virgin* ever so horrible, it is out of her power even to aim at that justice which the law of God so positively commands to be done. This *act of parliament*, taken all together, amounts to a repeal and utter abolition of the law of God, almost in every point where marriage is concerned. First—as to *betrothment*, which I take to answer, in some measure at least, to what we call a contract *per verba de futuro*, as where the man says—“ I will take you to be my wife,” and the woman says—“ I will take you to be my husband.” This was held so sacred by the ordinance of God, and persons *thus contracted*, were in God’s account so bound to each other, that a *defilement* of the *betrothed woman* was reckoned the *defilement* of a *man’s wife*. Deut. xxii. 23, 24. Nor could such a woman contract marriage with any other man—Exod. xxii. 16. Deut. xxii. 28.—of course the man who had *betrothed* the wo-

* Promises of marriage to a woman, have, in all well-regulated states, been considered as *sacred*, and the breach of them punished by a variety of methods. The *Prussian* laws do not endeavour so much to punish the breach of promise, as to enforce the performance of it—which they do by religious admonitions, by imprisonment, by a fine of half the man’s fortune, or a certain part of his daily labour, or, if he runs away to avoid the marriage, by marrying the woman to him by proxy, and allowing her a maintenance out of his effects.—See *Alexander’s Hist. Wom.* vol. ii. p. 268.

man

man was bound, and therefore compellable by the law, to carry *such a contract* into execution. On this principle our *ecclesiastical* courts proceeded, till the *parliament* tied up their hands, and took the business of *marriage* into their own, any law (either of God or man) or usage to the contrary notwithstanding.

Espousal—I take to answer, in some degree, to our contract *per verba de presenti*, as when the man says to the woman—"I do take thee to be my wife," and the woman says—"I do take thee to be my husband."—If the *betrothment* by words in the *future tense* amounted in God's sight to so solemn and binding a contract, a contract arising from words in the *present tense*, must, if possible, be *more so*; for this is the other contract so far *executed*—therefore, *a fortiori*, the *ecclesiastical* courts would compel the parties to a public recognition of this contract in the *face of the church*; but this is also set aside, and made *null and void to all intents and purposes whatsoever*.

But farther—*marriage* itself, which, according to the *Bible*, is the consummation of the whole by *carnal knowledge*, which makes the parties in the sight of God, and by His positive command, *one flesh*, even this signifies no more than the others—our *ecclesiastical* courts heretofore called this by its right name, a *marriage de facto*—or *in fact*—and so they well might; for it is the only ordinance of *marriage* which God ever revealed:

—where this happened, *divorce or putting away* was forbidden—*A man shall forsake father and mother, and cleave to his wife, and they shall be one flesh—What therefore God hath joined together, let not man put asunder.* But we may say of all these bonds, as was said of the *seven green withs* wherewith *Samson* was bound—*Judges xvi. 8, 9.*—that as a *thread of tow* is broken when it toucheth the fire, so were * *they* broken.

If these matters above mentioned were overlooked, or not sufficiently considered, at

* A flagrant instance of this appeared in the year 1772; when “ a cause of great consequence was determined in *Doctors Commons*, and a *marriage* that had been solemnized in the church, by licence, and consummated, was declared null and void, in conformity to a clause in the *marriage-act*. It appeared that the husband had obtained the licence, by swearing that the person, for whom the licence was required, was of age, when she was not.” See *Gent. Mag.* for 1772, p. 149. The writer of which observes—that to bastardize the issue of such marriages, seems to have something in it repugnant to the sacred institution.” This is a mild way of censuring so monstrous, so wicked, so diabolical a sentence, which can hardly be outdone by the church of *Rome* itself. The judge who pronounced it could not do otherwise, being bound in his decision by the clause in the *marriage-act*—but what a law must that be, which tends to divorce, a *vinculo matrimonii*, those, who by the law of heaven are indissolubly joined together as one flesh!

Let any man produce, if he can, a more palpable treading under foot, a more daring annihilation of the positive commands of GOD—a more evident defiance hurled at the DIVINE LAWGIVER HIMSELF! Yet this law, this very law, under which an infinity of such sentences of divorce may be pronounced, still is suffered to subsist, and hold its empire over the DIVINE AUTHORITY!

the

the time of the passing of *the act*, it is highly proper that they should now be considered, and the act repealed, at least be * materially altered from its present state of direct opposition to the *word and will* of GOD.

How the law stood before the passing this *act of parliament*, may be gathered from the following short case, 2 Salk. 438, and cited by *Dr. Burn*, Eccl. Law, Tit. *Marriage*, p. 30. *Wigmore's case*. *Holt*, Ch. J. said—

“ By the canon law, a contract *per verba de presenti* is a marriage—so is a contract
 “ *per verba de futuro*, if the contract be executed, and he take her; this is a marriage,
 “ and they cannot punish for fornication, but
 “ only for not solemnizing the marriage
 “ according to the forms prescribed by law,
 “ but NOT SO AS TO DECLARE THE MARRIAGE VOID.”

We have several statutes against *clandestine* marriages; as 6 and 7 Will. III. c. 6; 7 and 8 Will. III. c. 35; 10 Ann, c. 19; also *ecclesiastical* laws, as Can. 62, 63; but no law

* *Dr. Alexander*, after observing the pains which were taken to promote marriage among the *Romans*, says—
 “ It has generally been thought sufficient to stain, with
 “ some degree of infamy and dishonour, all kinds of
 “ illicit connection between the sexes, to make the way
 “ to the enjoyment of lawful love as easy and accessible
 “ as possible, and to trust the rest to nature. In this
 “ last respect the *English* legislature seems of late to have
 “ acted contrary to the common maxim, and thrown a
 “ variety of obstacles in the way of matrimony; but
 “ should decrease of people be the consequence, that
 “ body, it is presumable, are too wise to persist in a
 “ voluntary error.” Vol. ii. p. 245—246.

till 26 Geo. II. ever presumed to *vacate* the contract between the parties, or to declare the marriage *null and void to all intents and purposes whatsoever*, even though the ceremony itself was not red, as in *Wigmore's* case; where, though the husband had a *licence* from the *bishop* to marry, yet *Wigmore*, being an *Anabaptist*, married the woman according to the *forms* of his *own religion*.

I cannot think of the *marriage-act*, as it is called—though it may more properly be styled the *anti-marriage-act*—without recollecting *Horace's*

Nil mortalibus arduum est
Cælum ipsum petimus stultitiâ.

*No work too high for man's audacious pride,
Our folly would attempt the skies.*

To the case above mentioned, I will add a transcript from *Dr. Burn*, Eccl. Law, tit. *Marriage*, p. 17. that the reader may be still farther convinced of our departure from that reverence towards the *divine law*, which our *ecclesiastical* courts once had it in their power to shew—" Heretofore, if any having con-
" tracted matrimony *de præsenti*, and being
" convented before the *ecclesiastical* judge,
" did refuse to execute the sentence given by
" him to celebrate the matrimony accord-
" ingly; after lawful admonition given in
" that behalf, he or she so refusing might
" for their contumacy therein be excom-
" municated, and be imprisoned on a writ *de*
" *excommunicato capiendo*, until he or she did
" submit

“ submit to obey the monition of the ordinary in that behalf.

“ But as for persons who had contracted spousals *de futuro*, if either of them did refuse to perform their promise; the judge was not to proceed to the *significavit* into chancery for an *excommunicato capiendo*; but rather to absolve that *curst* party which contemned the censures of the church, albeit there be no cause of favour, but for fear of further mischief, by * compelling them to go together which did hate one another: yet was not this froward party to be thus dismissed; but was to suffer penance for the breach of his promise: nor was he or she to be dismissed or absolved, if those spousals *de futuro*, by reason of carnal knowledge, or some other *act* equivalent, DID BECOME MATRIMONY; for in that case, as in the former, where spousals were contracted *de præsenti*, the disobedient party was to be *excommunicated*, *apprehended*, and *imprisoned*, and not to be *absolved* or *released* before satisfaction, or death, or other *just* cause of divorce.

“ But now, by 26 Geo. II. c. 33. no suit or proceeding shall be had in any *ecclesiastical* court, in order to compel a celebration of any marriage *in facie ecclesiæ*, whether *per verba de præsenti*, or *per verba de futuro*, which shall be entered into after March 25, 1754.”

* This was something like *Moses's* sufferance of divorce among the *Jews*, for the *hardness of their hearts*.

Such *was* the law—such *is* the law—*now* as contrary to the law of God, as it was once conformable to it; for as far as the *ecclesiastical* courts went, they acted conformably to the *divine law*: but they did not proceed, unless there appeared some contract *per verba de futuro*, or *per verba de præsenti*; whereas God's law, more extensively calculated to preserve the *female sex* from seduction and ruin, determined the *carnal knowledge* of a *virgin*, in **all* cases, to “amount to matrimony,” where she was *not betrothed* to another, and compelled the public recognition of it, by the only means whereby, in those days, such recognition seems to have been made, that is to say, by the payment of the *מָהָר* or *dowry* into the hands of the father, (see Exod. xxii. 17. Deut. xxii. 29.) most probably in the presence of *witnesses*; which seems to have been the case in all public transactions among the *Jews*. See *Ruth* iv. 9, 10, 11. *Is.* viii. 2. *Jer.* xxxii. 10, 12, 25, 44.

So that though *betrothing* or *espousals* might, and in most cases, as among us, did, go before *marriage*, and create a solemn contract between the parties; yet where this was not the case, the man's taking possession of the *woman's person*, though he had never seen her before that instant, created the indissoluble bond of *marriage* between them in the sight of God; as appears, Deut. xxii.

* *i. e.* In all cases not excepted by law, as those Lev. xviii. 6—18. Deut. vii. 3. Comp. Gen. xxxiv. 14.

28, 29. The reason there given is, because HE HAD HUMBLLED HER. Whereas we mistake the *betrothment* or *espousals* for the *marriage* itself, and suppose, that where *these* are not, there *marriage* is not : but the contrary appears in the passage of *Deuteronomy* above cited. In the very nature of things it must be so, otherwise a *lesser* contract by *words* is of higher validity than a *greater* by *deed*, and the *promise* of the woman's person more binding than the *actual possession* of it ; which, tho' a *solecism* chargeable on human systems relating to marriage, cannot be chargeable on those which are the contrivances of *infinite wisdom*. The more we examine the former, the more shall we discover of the leaven of the *Pharisees*, who made the word of GOD of none effect through their traditions.—The more we examine the law of GOD, the more shall we be apprized of its harmony and consistency with itself, as well as with the peace, good order, and welfare of human society ; more especially with regard to its care and watchfulness over those who stand most in need of its protection, the *weaker sex*, which, as matters are now ordered, seem of less value than the *beasts of the field*.—If a man goes into his neighbour's field, and wilfully *maims* or *wounds* his cattle, it is *felony* without benefit of clergy ; but to *seduce*, and *debauch* his daughter, and then to look upon himself as free from all *legal* obligation to marry her, is the grand privilege which he finds annexed to our repeal of the laws of

Heaven. As for the sufferer, if she be poor, so that her maintenance depends upon her character, this being gone, she must starve for want of employment, or plunge herself into the * depths of prostitution to get food and raiment.

With regard to the business of *clandestine marriages*, how far they are or are not "mischievous or inconvenient to the kingdom," may admit of much doubt; much may be said on both sides of the question: but I cannot help thinking with the learned Judge *Blackstone*, who thus expresses himself on the subject, vol. i. 438. *Quar. Edit.*—"Restraints upon marriages, especially among the lower class, are evidently detrimental to the public, by hindering the increase of people; and to religion and morality, by encouraging *licentiousness* and *debauchery* among the single † of both sexes, and thereby

* What is said by Is. xlii. 22. may be well applied to describe the wretchedness of ruined and deserted females in this country—viz.—"a people robbed and spoiled, they are all of them snared in holes (חורים *Speluncis*. Pagn. —dens—which are dark and secret places) and they are hid in prison-houses: they are for a prey, and none delivereth; for a spoil, and none saith—Restore." See Taylor sub voc. חור, No. III.

† I am afraid, that what this learned and excellent writer here observes, is not to be confined to *licentiousness* and *debauchery* among single persons only; for the *marriage-act*, by throwing the inclinations of children and wards, as well as their persons, under the absolute power of parents and guardians till the age of *twenty-one*, has, in many instances, proved fatal to their future peace. I cannot express my meaning better, than in the words of the ingenious *Marquis of Beccaria*, in his *Essay*

“ thereby destroying one end of society and
 “ government, which is—*concubitu prohibere*
 “ *vago.*”—It is beside my purpose to enter
 deeply into the consideration of this law in
 a temporal view; but it hardly can be sup-
 posed to increase *marriage*, unless in the *pa-
 rish-registers*, by many persons marrying in
 the parish churches and chapels, because they
 cannot marry elsewhere. Doubtless num-
 bers there are who would have married else-
 where, but now never marry at all, because
 their peculiar circumstances or situations may
 be such, as to prevent their compliance with
 the *terms* of the *act*; many of whom are
 most probably hurried by their passions into
 something worse than a *clandestine marriage*.

That ingenious foreigner *Mr. de Lolme*, in
 his *Examen Philosophique des loix relatives aux*
marriage, ch. 4. and 5, proves, that “ every
 “ obstacle to marriage is a *vice* in govern-
 “ ment, and an injury to the rights of citi-

on *Crimes and Punishments*, c. 31. “ CONJUGAL FIDE-
 “ LITY,” saith he, “ is always greater, in proportion
 “ as marriages are more *numerous* and *less difficult*. But
 “ when the interest or pride of families, or paternal
 “ authority, not the inclination of the parties, unite
 “ the sexes, *gallantry* soon breaks the slender ties, in
 “ spite of common *moralists*, who exclaim against the
 “ effect, while they pardon the cause.”

I much doubt, whether every sessions of parliament,
 for some years past, has not afforded melancholy proofs
 of the truth with which the noble *Milanese* made the
 above observation. I should except the *last*.—But this
 was so extraordinary, as to be mentioned in some of the
public prints, as almost a WONDER—*inter mirabilia anni*
MDCCLXXX.

“ zens.” Under this head he shews, that the “ English act of parliament of 1753, is “ contrary to the law of nature,” and explains the reasons of that truly *Patrician* act.

The passing such a law as this, in a maritime and commercial *island*, whose *external* strength, by which it can annoy its numerous enemies, and whose *internal* strength, by which it is to defend itself against their invasions, must depend on the numbers of its people, is surely a capital *solecism* in our political system. The wiser *Heathens* took every measure they could, to discourage celibacy, to promote marriage, and, of course, to increase the numbers of their people. *Plato* lays it down, that in a well-ordered republic, the first consideration should be to make laws for the promotion of marriage, that every one should marry, not merely to please himself, but as a benefit to the public; therefore he would have every unmarried man punished annually by a fine of so many *drachmæ*, and some mark of infamy, who lived to thirty years of age without marrying. *De LL. lib. vi. Lycurgus*, the *Spartan* lawgiver, would not admit unmarried men to the public games, spectacles, and feasts. *Plut. in Lycurg.* and an action was given against those who did not marry at all, or too late to have children. Among the *Romans*, they were liable to a mark of ignominy or disgrace set on them by the *Censors*. *Val. Max. lib. ii. c. 9. Augustus* rejected the testament of a man who died under a state of celibacy.

Ib.

1b. lib. vii. c. 7. On the other hand, married men (especially those who had children) had many privileges—they were exempted from being sent on embassies, and had the first voice in all public decrees or sentences. In any canvassing or making interest for magistracy, or any other office, the number of children which a man had, was considered as a very prevalent recommendation. Appian, lib. ii. de Bell. Civ. In all the public theatres, they were seated in an honourable place. Suet. *Augustus* was for their receiving presents every year. They were exempt among the *Spartans* from keeping watch, if they had *three children*; if *five*, from all public offices whatsoever. *Herod.* 1. iii. The like privileges were among the *Romans* with respect to the *tutelæ* and *curatelæ*—wardships and guardianships—from the burden of which a man was exempted at *Rome*, if he had *three children*—in any other part of *Italy*, if he had *four*—and in all the provinces, if he had *five*. Instit. lib. i. tit. 25. *Athenæus* speaks of a festival, at which the women laid hold of all the *old bachelors* they could find, and dragged them round an altar, beating them with their fists.

Many more instances might be mentioned, to shew what all wise states have thought on the subject of marriage; that it was the means of enriching them with people, and therefore all encouragement was given to it: whereas we have, by *act of parliament*, narrowed, in many instances, its bounds within the circle of family pride, and personal avarice;

rice ; and in order to this, have laid difficulties in its way which are *insuperable* to thousands, who might otherwise have contributed their portion of increase to the public riches.

I have elsewhere mentioned the late *Duke of Bedford's* motion for a repeal of the marriage-act—*His Grace* spoke near *three* hours upon the subject, and in the course of his speech expatiated much on the preference which is given to private inclination, humour, pride, and caprice, beyond public utility—"The *riches* of this, as of every country," said he, "are the *people*.—The grand object, which we are to consider, is this—the law in question, by being restrictive of marriage, must in course be restrictive of population.—What is the consideration of this or that individual, where the welfare of the public, which is chiefly promoted by the increase of the people, is at stake ? "I have a daughter" (meaning the present amiable *Dutchess of Marlborough*) "who is deservedly my delight ; any misfortune which could happen to her by an imprudent or unsuitable marriage, would be a most sensible affliction to me ; but," said the noble patriot, "what is this to the public ? What is it to the public whom she may marry—or whom any body's daughter or son may marry ? Population is the grand point to be considered with respect to the public ; therefore an Act, which makes public utility subservient to
" the

“ the mere consideration of preventing here
 “ and there a private inconvenience, is an
 “ impolitic, an injurious, a mischievous law,
 “ it ought never to have been made, it ought
 “ now to be repealed.”

This is pretty near the substance of what was reported to me to have been the conclusion of *his Grace's* speech on the occasion. However, his motion was lost by *one* single voice. He said, that “ he should make it “ again the next year”—but, before that time, he went out of administration, and he dropped his intention, as perhaps having little hope of succeeding as a private *Lord* in opposition, after having failed while in public office.

Whatever may be the supposed ill consequences of *clandestine marriages*, however “ mischievous or inconvenient to the kingdom” they may, in some instances, have been found, yet no mischief or inconvenience could possibly arise from them, which might not have been obviated without intrrenching on God's prerogative, without attacking the validity of His holy ordinances. The sixty-second *canon* prohibits “ ministers from solemnizing matrimony without licence or “ banns, or at any other times than between “ eight and twelve in the forenoon,”—the breach of this *canon* is attended with the “ suspension of the offending minister for “ three years *ipso facto*,” but it does not offer to affect the *validity* of the contract between the parties. The 6th and 7th of
 W. III.

W. III. c. 6. ordains a penalty on the minister for marrying without licence or banns, of one hundred pounds, and for the second offence to be suspended, *ab officio et beneficio*, for *three years*. By the 7th and 8th of W. III. c. 35. the penalty of one hundred pounds is extended to every offence of the minister, likewise ten pounds is laid on every man who is married without *banns* or *licence*. The 10th of Anne, c. 19. has a clause to prevent *clandestine marriages*, and lays one hundred pounds on the minister—and if such marriage be *solemnized in any gaol*, by any minister who is a prisoner there, one hundred pounds upon him, and one hundred pounds upon the gaoler suffering the marriage to be solemnized in the prison without *banns* or *licence*.—These were revenue acts, and only attacked *clandestine marriages* with a view to the duties payable on licences; but still they keep clear of calling in question the *validity* of the *marriage*, wheresoever or howsoever solemnized. This was reserved for the 26th of Geo. II. c. 33. which, as has been observed, is levelled at the validity of the *ordenance itself*, if not administered as therein required. To prevent *clandestine marriages* by punishing the *minister*, either by pecuniary or even corporal punishment, or to lay a fine on the parties so married, would not have exceeded the authority of the legislature, any more than by interfering in any other matter of outward order and decency; but when they declare—*such marriage null and void to all*

all intents and purposes whatsoever, so as utterly to dissolve the contract between the *parties*, they interfere with God's own immediate ordinance, which mortals have no right to do. Human legislators may have power over *ecclesiastical* persons, to provide that they discharge their office, but have no power themselves to interfere in holy things. When King *Hezekiah* began the reformation of the *Jewish* church, and brought in the *priests* and *Levites*, and gathered them together, and gave them order to execute their office, he did lawfully and rightly. But when King *Uzziah* himself attempted to burn incense before the LORD, thus interfering with the appointed ordinance of God, which made it only *lawful for the priests the sons of Aaron* to burn incense, he did wrong, he exceeded his own authority, and usurped the authority of God, and God struck him with leprosy to the day of his death. Comp. 2 *Chr.* xxix. 4, 5. with 2 *Chr.* xxvi. 16, &c.

If the parliament were to lay a duty upon the register of every *baptism*, and, in order to secure it, were to lay a *penalty* on every *minister* registering a baptism on *unstamped* parchment, they would have authority so to do; but if they went on, and said, that “*all baptism so registered should be null and void to*”
 “*all intents and purposes whatsoever, so that*”
 “*children so registered should be no members of the Christian church,*” such a law would be as absurd and shocking as the *marriage-*

riage-act is, but not at all a greater insult upon the *divine ordinance* of *baptism*, than this is upon the *divine ordinance* of *marriage*.

So with regard to the *LORD's supper*, if an act was made that for greater *decency* and *order* in the administration thereof, the minister should give notice on the *Sunday* before, upon a penalty of £. 5 for every omission ; no doubt the parliament might make such a law ; but if the act went on and said, that “ where any persons shall receive the *sacra-*
“ *ment* from the hands of any minister who
“ hath neglected to give such notice afore-
“ said, such receiving shall be *null* and *void*
“ to all intents and purposes whatsoever ; and
“ no benefit accrue to the *receivers* thereby” —how would such a law as this be distinguishable, in point of folly and impiety, from the *act* which we have been considering ? No distinction in these respects can be fairly made, till it can be proved, that the sacrament of the *LORD's supper* is an appointed ordinance of God, but that the *ordinance* of *marriage* is not. In the mean time, I must profess my *faith* to be, that the *parliament* of *Great Britain* had no more a right to pass the *marriage-act*, in its *present form*, than it had to pass an act to * repeal the *ten commandments*.

I don't

* We can hardly read over the impious decree of *Darius*, the king of *Persia*, which is recorded Dan. vi. 7. without shuddering.—To make a *statute*, that—“ who-
“ soever shall ask a petition of any God or man, for
“ thirty

I don't mean, by any thing I have said, to put *ministers*, in the business of *solemnizing marriages*, on the same footing with *priests* under the law of *Moses*, with regard to the ceremonial ordinances; these last were ordained and appointed of God to those services, which shadowed forth *good things to come*; but it does not appear, that either the *priests* under the Old Testament, or the *apostles* or other *ministers* under the New Testament, were ever employed in *marrying* people (as it is called) or had any thing to do in the matter. *Marriage* was appointed, and its essentials settled, before there was a *priest*, or *church*, or *ceremony* so much as mentioned, wherefore nothing of this kind can be wanting to its completeness and perfection in the sight of God. The interference of *priests*, and the appointment of a set form of words to be read over the parties by that *priest*, are

“ thirty days, save of the king, he shall be cast into the “ den of lions”—was an attack on the crown and dignity of the *Divine Majesty*, horrible to conceive.—But by what *logic* can it be proved, that the *Medo-Perſian* monarch had not as much right to do this, as a *British* legislature to invent *impediments to marriage*, which are unknown to the scriptures; to make that null and void, which God's law ratifies and confirms; and thus to put those asunder, whom the express command of the MOST HIGH indissolubly joins together? However ignorance may be pleaded in excuse of the poor idolatrous *Heathen*—this but aggravates our guilt; for we have the *oracles* of God committed to us, and to be ignorant of their contents, is of itself a GREAT crime—disregarding them, still a GREATER—acting in opposition to them, GREATEST of all!

purely

purely of human, and comparatively (as I shall shew in the sequel) of modern invention, therefore can have no more effect upon the *divine ordinance* itself, as between God and the parties, than the other human inventions of services for the *burial of the dead*, and the *administration* of the *sacraments*, can have upon the *state of the dead*, or on the *validity* of the *sacraments*, to those who receive them: if it were otherwise, the efficacy of God's ordinances no longer depend on *His appointment*, but on the *will of man*. A *Papist* may be brought to believe that the *validity* of the *sacrament* depends on the *intention* of the *priest*; but to believe this, is not a greater error, than to believe that *any* ordinance of God whatsoever depends on any thing else, as to its *validity* and *efficacy*, but the mind and will of God as revealed in His word:— If He has said *they shall be one flesh*—it is not for man to say *they shall not*—if He has thus *joined them together*, it is not for *man* to *put them asunder*.

Now, to apply what has been said to the subject of this chapter, it will be necessary for us to keep the ideas of marriage, as it is a *divine ordinance* with respect to God, and as it is a *civil contract* with respect to the public, distinct in our minds. It is the *first* only which constitutes the indissoluble union in God's sight, but it is the *second* which recognizes and ratifies that union in the sight of the world; and this is a sort of security which (as so much depends upon it with re-
spect

spect to *society*) the world has a right to require, consequently to exact, and those who wilfully refuse to give it, deserve to lose every privilege and benefit which are annexed to it. Were the consciences of men what they ought to be, the fear and love of God would reign within them, and a strict observance of His commandments be the measure and rule of all their dealings towards God and each other. But in this corrupt state of things this is not the case, therefore human laws are necessary to enforce the *divine law*, in no instance, perhaps, *more* necessary than in the case before us. If no contract of a public nature was insisted upon, but all left to the private agreements and determinations between the parties, men might take women, and women men, and keep or put one another away as humour or fancy suited; —the woman who was the wife of A. to-day, might become the wife of B. to-morrow; in short, it is impossible to *conceive*, much more so to *express*, the confusion which must ensue * on such a plan. Therefore, when human laws are made to exact a public

* We should be living like the *Zaporavian Cossacks*, who have no marriages among them, nor any domestic oeconomy, but merely take their women as they want them, for the purposes of propagation, without any distinctions of propriety whatsoever. So far from cohabitation, they do not even suffer the women to live among them; and they are so far from knowing their own children, that it is no uncommon thing for a *brother* to have children by a *sister*, or a *father* by a *daughter*: See *Voltaire* on the *Russian empire*.

contract between the parties in the face of the world, which contract cannot be broken nor dissolved but for the *one cause* which God's word allows, such laws are in affirmance of the law of God, and therefore are righteous laws; and, as such, ought to be obeyed; nor have any persons a right to that respect, and to those privileges, which are due to *married* persons, who despise such an ordinance * of man as creates a civil contract in the sight of the world, by way of recognition of that

* The words of St. Peter are *πᾶν ἀνθρώπινον κτίσις*—the word *κτίσις* is here applied to *magistrates* (as appears from the context) whose offices are *created* by men.—So the *Romans* say—*creare consulem*—to *create* a consul;—*creare regem*—to *create* a king: but though the offices of particular magistrates are of human creation, and are different in various countries, yet there is no power but of God, the powers that are, are ordained of God. Rom. xiii. 1. Therefore St. Peter commands obedience to magistrates for the LORD's sake. Also the particular mode or form of government may be *ἀνθρώπινος κτίσις*—of human creation, yet government itself is of divine authority.—See Gen. iv. 7. See on the word *κτίσις*, Leigh, Crit. Sacra, and Mr. Parkhurst's excellent and ingenious Gr. and Eng. Lex. to the New Test.

Yet, forasmuch as for the necessities of government, the *magistrates* must make or *create* laws and civil institutions, I cannot see why every human law may not be styled *ἀνθρώπινον κτίσις*, and this place of St. Peter be understood as including *magistracy* itself, and the ordinances created by that magistracy. Bishop Sherlock, in his *Discourses*, vol. iv. Disc. xiii. p. 368, &c. first edit. gives a very different signification of the *ἀνθρώπινον κτίσις*, and finds fault with the rendering it—*ordinance of man*. However, on the most mature consideration, we cannot but pronounce, that the novelty of the Bishop's interpretation, far exceeds its *solidity*; and that for more reasons than it is to our present purpose to enter upon.

private contract which they have entered into between themselves in the sight of God. Those who wilfully live together, as *man* and *wife*, without this, are deservedly reckoned infamous, and as deservedly cut off from the benefits of marriage, so far as *civil society* is concerned: therefore to discourage, and even to *punish* such a conduct, is certainly within the authority of all *civil government*, nor would any government be justified in not doing it, for without this, men and women would be living like the beasts of the field. No fault is therefore to be found with our laws for enforcing the public recognition of God's *ordinance*, but for not enforcing it in *all cases*, and for making it *null and void* in *any*, where God's law hath not made it so. Instead of shutting up the *ecclesiastical* courts against the complaints of deserted females, or preventing their enforcement of *that redress* which God's law commands, every *court* in *Westminster Hall*, and every *magistrate's* house in the kingdom should be open to them, and on pain of death, or at least of perpetual imprisonment till compliance, every man who had *seduced* a woman, whether with or without a promise of *marriage*, should be obliged to wed her publicly. Under what *rite or ceremony* this is done, is of very little consequence; so that it be effectual for the notoriety of the contract, and the prevention of causeless divorce. That which makes the *marriage* before God is the same every where, that which recognizes it in the sight of men,

is, and may be different, but all tending to one point, that of affording to the state, as well as to the parties themselves, such a security for their cohabitation, as is necessary for the peace, good order, and welfare of the whole. Something like what *Q. Curtius* reports *Alexander* to have said when he cut the famous *Gordian knot*, I would say on the tying the *nuptial knot*, as far as public ceremony is concerned—*so it be done, no matter how*. The interference of *priests*, and the *service* which is red over the *married couple*, are purely of human invention, no such thing appears in the scripture, and therefore, though both subject to human controul, yet neither being of *divine appointment*, can have any effect on that which *is*, so as to *add* to it, or *diminish* from it in the sight of God. As I shall have something very particular to observe on this subject under the head of *superstition*, I shall say no more upon it in this place, than that all attempts to alter, change, or *make void* a *divine institution*, as to its force, power, and efficacy, with respect to *itself*, before God, are so far from being binding on the consciences of men, that they ought to be abhorred. The only matter in which the 26 Geo. II. c. 33. seems to be deficient, is, that it does not more plainly express its meaning and tendency, and after the words—“such marriage shall be *null and void* to all intents and purposes whatsoever,” it does not add—“any thing in the scripture to the contrary notwithstanding”—it *all but* says this

this in the clause about *precontracts*, and it must *quite mean* this, for the act to have its full force and effect.

Still the *divine law* is one and the same, still therefore ought it to *commend itself to every man's conscience in the sight of God*. 2 Cor. iv. 2. and this upon its *own* authority.—If, therefore, human laws have put *marriage*, as to itself, on a different footing than it stands upon in God's word; if impediments to *marriage* have been raised up by human contrivance, which are not * to be found in that word; in these, and the like instances, human legislature exceeds its authority.

When a man, having *one wife*, takes *another* to her, the *ecclesiastical* courts pronounce such second *marriage null and void*—our courts of *criminal judicature* pronounce him a *felon*—but if God's word be the *criterion* of right and wrong, our laws have no more authority to say that a man shall not have *two wives*, than the *Popish* laws have to say that a *priest* shall not have *one*, neither have our *ecclesiastical* courts any more authority to *divorce* such *second* woman from the man who has *married* her, than the *Pharisees* had to *put away a wife*.

* The council of *Trent* made a *decree*, that, "if any shall say, that the *church* hath not power to add *impediments* which are not in the book of *Leviticus*, and to dispense with those that are—let him be ACCURSED."—I believe it may readily be granted, that both *church* and *state* have equal authority in the matter. See *Brent*, Counc. *Trent*, p. 784.

for every cause; for no such cause of *divorce* is to be found in God's word. Such a thing would never have been thought of, had the *Bible* maintained its due weight in the church—then had not men dared to have made matters of *divine institution* subject to their caprice—changeable with their fancies, as if the fixed and unalterable will of God was as variable as their own. To set this matter in its true light, let us reflect a little on the changes which have been made, touching * God's institutions

* Here we might mention the marriage of *Henry VIII.* with *Catherine of Arragon*, his brother *Arthur's* widow, which was had and solemnized “by the counsel and advice of the most wise and gravest men of these realms, and by the deliberate and mature consideration and consent of the best and most notable men in learning, in those days, in *Christendom*.” (See preamble to stat. 1. *Mary*, c. i. sec. 2.) This very marriage, after twenty years cohabitation, and issue had, was dissolved by *divorce*, and declared by act of parliament (25 *H. VIII.* c. 22.) “to be against the laws of Almighty God, and therefore utterly void and of no effect.” This was in 1533. Twenty years afterwards, in 1553, the said marriage was “definitively, clearly, and absolutely declared, deemed, and adjudged to be, and stand with God's law, and His most holy word, and to be accepted, reputed, and taken of good effect and validity, to all intents and purposes.” When *Henry VIII.* wanted a divorce from *Catherine of Arragon*, on the footing of her having been his brother *Arthur's* wife, it was held, that, “Consent without consummation made a marriage, compleat.” When he wanted to get rid of *Ann of Cleves*, ten years afterwards, then the direct contrary doctrine was held—and “no marriage was compleat without consummation.” See *Burnet Hist. Ref.* p. 281, 2d edit. In the year 1536, in the case of *Ann Boleyn*, it was judicially determined that a *precontract*, though

stitutions in this country—31 Hen. VIII. c. 14. makes a *priest* that marries, as also *his wife, felons*; and so even to affirm that a *priest* might marry *by the law of God*, with death and forfeiture of estate.—5 and 6 of Ed. VI. c. 12. repeals all this, and declares it “as lawful for *priests* as for all other *Christian*

though no actual marriage or consummation followed, was a ground of divorce from a subsequent marriage though consummated—the direct contrary was determined by act of parliament in 1540, four years afterwards.” See *Burnet*, p. 203, 283. These contrarieties and contradictions were the product of that *worldly wisdom*, which is always found to accommodate itself to the *times*; and, wherever *power* or *interest* seem to direct its operations, is the most flexible of all principles.—It is a perfect *Gnatho*, and may say—

Quicquid dicant laudo—id rursus si negant, laudo id quoque.

Negat quis? Nego. Ait? Aio. Postremo, imperavi egomet mihi,

Omnia assentari. is quæstus nunc est multo uberimus.

Ter. Eun. Act. ii. Sc. 2.

“Whate’er they say I praise it; if again,

“They contradict, I praise *that* too: does any

“Deny? I too deny:—Affirm? I too

“Affirm:—and, in a word, I’ve brought myself

“To say, unsay, swear, and forswear, at pleasure:

“And that is now the best of all professions.”

COLMAN.

How much better than all this do we represent the *divine law*, when we suppose it to attend on the *times*, and to change with the opinions of men? Thus Cardinal *Cusanus* said judicially in the council of *Trent*, that “the understanding of the scripture must be fitted to the *time*, and expounded according to the *current rites*; and that it is not to be marvelled at, if the *church* in “one time expoundeth in one fashion, at another in “another.” *Brent. Council. Trid. 159.*

“men, to marry.” See *Art. Ch. of Eng.* 32. These two contrary propositions were determined with *equal* solemnity by the two above-mentioned *kings*, by and with the advice of their several parliaments, and this all within the space of thirteen years. Then came *Queen Mary*, in 1553, and *priests* could not marry—In 1558 the embargo was once more taken off, on *Queen Elizabeth’s* accession, and then *priests* might *lawfully* marry. See *Ratification* of the 39 Articles of Religion.

So with regard to the sacrament of the LORD’s *supper*—to deny the doctrine of *transubstantiation*, was *heresy*; for which the offender was to “*be burnt* to death, and “forfeit as in cases of high treason.” This was *law* and *sound divinity* in 1539, 31 Hen. VIII. c. 14; but in the year 1547, 1 Ed. VI. all was repealed and set aside. In 1553 *Queen Mary* came to the crown, and all revived again; hundreds were *burnt alive*—but in 1562, 5 *Eliz.* this monstrous doctrine (with the laws which taught and supported it) was abolished, and declared to be “un-
“proveable by holy writ—repugnant to the
“plain words of scripture—to overthrow
“the nature of a *sacrament*—and to have
“given occasion to many superstitions.” See *Art. 28. of the Ch. of Eng.* Amidst these strange, confused contradictory systems of religious opinion, what part may we suppose to have been taken by the great and unchangeable JEHOVAH? shall we imagine Him
such

such an one as ourselves? that he was of one mind in the reign of Hen. VIII.—of another in the reign of Ed. VI.—that he changed again at the accession of *Queen Mary*, and veered about again in the reign of *Queen Elizabeth*: Absurd as such questions may appear, they are not more so than to imagine His mind and will can change on one subject more than on another. To affirm, therefore, that His will can change touching the institution of *marriage*, either with respect to the *thing itself*—the *impediments* against it—or cause of *divorcement* from it; that these were one thing in the days of *Moses*—another in the days of JESUS CHRIST, and as many others as the fancies of men chose to make them, in the several periods of the *Christian church*, just as *Papists* or *Protestants* happened to be uppermost, and to get the *legislative* power into their hands; and especially since the invention of *marriage-ceremonies* to be performed by *priests*,—must involve the *affirmant* in difficulties from which he can never extricate himself, but by totally renouncing so unscriptural, so senseless an *hypothesis*, and allowing that *marriage*, as in God's sight, in all the respects above mentioned, stands on the same foundation as ever—the word of GOD. Dryden says somewhere—"God never meant " His works for man to mend." This is doubtless as true of *His law* as it is of his other *works*; concerning *this* we may also say—*He spake, and it was done, He commanded,*
and

and it stood fast. The rejection and contempt of *this law*, are the causes of numberless evils, which it was revealed and established to prevent in that most important business the *commerce of the sexes*.—*Adultery*, or the defilement of a betrothed or married woman, is, by God's law, a capital offence, to be punished with the *death of both the parties*; but being no crime at all in the eye of our *penal statutes*, it stalks abroad as it were at noon-day, fearless and careless, and seems now to be a fashionable method of a *wife's* getting rid of her *husband*, that she may marry her *gallant*.

Men being under no obligation by *our law*, as by God's law, to marry *virgins* they seduce—and if *married* men, being under a legal disability so to do—turn these deluded and helpless females out upon the wide world, either to starve, or to support a wretched existence by *prostitution*. God's law positively says, that *every man*, be his situation what it may, shall protect the virgin he seduces—that he never *shall put her away all his days*. So that (as in the case of *adultery*) we do *not punish*, as a public offence, what God *condemns*—and we do *punish*, in other cases, what God *commands*; for if the *married* man who seduced a *virgin*, &c. was to *marry her*, he would (but for the benefit of the *clergy*) be hanged for his pains. We may laugh at the absurdities of *Popery*, and condemn those tenets of the *church of Rome* which gave birth to the 31 Hen. VIII. c. 14. wherein

wherein a *priest's* living with a *wife* is made worse than keeping a *concubine*, the first being made felony in the *first* instance, the other not till a *second*; we may reproach such monstrous opinions with every term which can express abhorrence and detestation; but are our laws less absurd, less contradictory to every principle of the *divine law*?—We make laws to hang a man for having *two wives* of his own—let him only debauch an *hundred wives* of *other people*, and he's safe from all criminal * prosecution!

* The remedy by *civil action* is certainly open, but attended with great *expence*, *trouble*, and *loss of time*; and however such *damages* may be given as may in some measure satisfy the *plaintiff*, on these accounts, and be some punishment to the adulterer; yet what can restore the *husband's* lost peace of mind, both with respect to his seduced, debauched, and ruined wife, and to any children she may have brought him, which now he is to maintain and provide for as his own, under the dreadful apprehension that they are the bastards of *other people*? Still even this poor remedy is out of the reach of numbers, who cannot afford to go to law. As to *divorce*, this is so far from any *punishment* on the *woman*, as matters are now managed, that it is the very thing she desires; for by this she can marry a man whom she *likes better* than her husband. It is indeed so far beneficial to the injured husband, that it releases him from the *adulteress*, and so far may be looked upon as some remedy for his misfortune; but when the great expence of coming at it is considered, the steps which must be taken before it comes into parliament, and the cost afterwards, it is out of the reach of the common sort of men. The *physician* who was to prescribe a *pearl* of a hundred pounds value, to be dissolved in some liquor which cost also a hundred pounds, and taken for the cure of a disease which a poor man is afflicted with, would adapt his medicine about as well to the circumstances of his patient,

secution ! We also determine that if a man hath *two wives*, he is a capital offender ; but let

patient, as our *divorces* are to the relief and release of injured husbands. However, it is not the king's "*soit fait comme il est désiré*," which makes the *divorce* valid in the sight of GOD, though it certainly is the dissolution of the *civil contract* ;—by the law of GOD the *divorce* was *ipso facto* in the power of the husband the moment the *act* of *adultery* came to his knowledge, and if he put away his wife, and married another (even upon the principles of *monogamy*) he did not sin ; to say otherwise, would be to contradict the scripture, and to deprive a man of a positive right, which GOD and nature have invested him with. I would wish to apply this to the case of every poor man among us, who though not so poor as to be able to swear he is not worth *five pounds*, yet poor enough to have a *divorce*, in the usual way, out of his reach.—Why is such a one to be forced to live with an *adulteress* ? to maintain, by the sweat of his brow, the children of other people ? to suffer all the miseries and inconveniences which a profligate wife may bring upon him ? The reason once might be, because the church of *Rome* denied *adultery* to be a cause of divorce *a vinculo matrimonii*, without the POPE's dispensation, and a poor man could not pay for it.

The reason now is, because we are treading in much the same steps, and deny *adultery* to be a cause of divorce *a vinculo matrimonii*, without an *act* of parliament, the expence of which only the rich can afford.

This is not among the *oppressions* which *Solomon* saw under the sun, for it never existed, till *Christian* churchmen took upon themselves to trample under foot those rights of mankind, which the laws of *Heaven* had invested them with, and to direct and govern the opinions and consciences of men as might best serve the sordid views and interests of that *kingdom of this world*, which they first set up, and then called it THE CHURCH.

'Tis true, the whole fabric was shaken to its very foundations, by the zeal and activity of the Protestant reformers, so as to be demolished within this kingdom ; but the rubbish is not all yet cleared away ; and, among other things, that of declaring *adultery* no cause of divorce

let him *debauch* and *ruin* an hundred *virgins*,
or keep a *dozen concubines*—he shall be free!

vorce *a vinculo matrimonii*, contrary to Jer. iii. 8. with Matt. v. 32.

I do not mean that any man should be able to divorce his wife, without some *public* act of notoriety; for this would subject women to divorces on stories invented, or suspicions entertained, which may be groundless, and only to serve some *sinister* purpose—but that, where *adultery* is absolutely proved, there, as the contract is *ipso facto* dissolved, such dissolution should be allowed in such a manner as to lie within the reach of every man. One thing may be observed—that if *adultery* be not a cause of divorce *a vinculo matrimonii*, on the authority of the scripture, no POPE's *dispensation*, or ACT OF PARLIAMENT, can make it so; but if it be a cause of such divorce, all men are equally entitled to the benefit of it.

The reason which the *canonists* give for *adultery's* not being a cause of divorce *a vinculo*, &c. is very curious, viz. “because the offence is *after* a just and lawful marriage.” See before p. 3. n. This is what makes the offence;—if no marriage, there can be no adultery: so that to make that which comes into the very *essence* of the crime, an exemption from the punishment of it, was no better than a bad excuse for retaining the power and lucre of dispensation in the hands of the *Pope*.

The passage Jer. iii. 8. above referred to, sets the matter in a very different light. God says, that for the *adultery* of backsliding *Israel*, (meaning the ten tribes) He not only שְׁלַחָהּ had put her away, but He had given her a bill of כְּרִיתָה divorce, excision, or cutting off. Comp. Is. l. 1. All this most evidently is to be understood in a figurative sense, but shews that *adultery* is a cause of excision or cutting off *a vinculo*, &c.

On the whole of scripture, taken together, on the subject, it seems that the law inflicted death on *adultery*, and if the injured husband prosecuted, that sentence must be inflicted by the judges; or if he did not chuse to make his wife a *public example*, he might in a more *private* manner put her away, and give her a bill of excision. Comp. Matt. i. 19.

I will

I will not say—" *Risum teneatis?* "—but rather—" *Quis talia fando temperet a lachrymis?* "—

These things, and others which might be observed on these subjects, may serve to shew how far *superstition* hath supplanted the religion of the *Bible*, and the *traditions* of men the *commandments* of GOD. What makes matters even still worse, is, that the authority of CHRIST is pleaded for much of this. He who came to *fulfil the law*, is represented as an *innovator* and *destroyer* of it. His *apostles* are called in as His *coadjutors*:—though, when we hear them speak for themselves, they utterly disavow the charge—" *I came not to destroy the law,*" saith CHRIST—and saith *St. Paul*, in his *own* name, and in those of his *fellow-labourers*—*Do we destroy the law through faith?* GOD forbid!—*Yea—we establish the law.*—Was *such* the language of all our *municipal* laws, it would be happy for the world, as the torrent of *lust*, *profligacy*, and *cruelty*, could no longer ravage far and wide, and spread its desolation over thousands and tens of thousands of deluded and forsaken *females*, and, by *their* means, over the young and thoughtless of the other sex. Then might we hope that the pure truth of God might find its way back to the now dark regions of *Asia*, which, *til* then, is humanly speaking, impossible; and the followers of *Mahomet* would no longer have it in their power (like *Cerintbus*) to charge the God of the *Christians* "with opposing the
" GOD

“ God of the Jews.”—Even * *China* itself might listen to the truth, when unadulterated with human inventions, unsophisticated with *pious lyes*. Whereas they may now say to us, as CHRIST said to the *Pharisees*—*Ye have made the commandment of GOD void by your traditions*. Matt. xv. 6. *Ye teach for doctrines the commandments of men*. Mark vii. 7.

I do not mean by this, that any *missionary* would be justified in allowing the laws of the *seraglio*, or of the *baram*, as agreeable to

* *Montesquieu* is for giving physical reasons for permitting *polygamy*, or prohibiting it, in different countries, according to the heat or cold of the climate. Thus, says he, “ the law which permits only *one wife*, is physically conformable to the climate of *Europe*, and not to that of *Asia*. This is the reason why *Mahometanism* was so easily established in *Asia*, and with such difficulty extended in *Europe*; why *Christianity* is maintained in *Europe*, and has been destroyed in *Asia*; and, in fine, why the *Mahometans* have made such progress in *China*, and the *Christians* so little.” He well adds—“ Human reasons, however, are subordinate to that *Supreme Cause*, who does whatever He pleases, and renders every thing subservient to His will.” *Sp. of Laws*, vol. i. 372. *Octavo*, Eng. book xvi. c. 2. Again he says—book xix. c. 18. “ It is almost impossible for *Christianity* ever to be established in *China*,” for which he mentions several reasons, and, among the rest—“ the marriage only of one wife.”—“ As for the *Indians*, travellers inform us, that the chief reason why several of their *princes* have refused to embrace the *Christian* religion, hath been, because, among other conditions, it was required of them to admit no more than one woman to their bed.” *Puffend.* b. vi. c. 1. § 16.

the

the law of God. Buying women as * *slaves*, and shutting them up as *prisoners*, forcing them against their inclinations, and detaining them against their consent, under bolts and bars—the mutilating men, and making them *eunuchs*, that they may be guards and centinels over these unhappy women, is all monstrously inhuman, wicked, and abominable, and so ought to be represented. It is so far from having a single ingredient in it of the true idea of the holy ordinance of *marriage*, that it is no other than a most horrid scheme of *rape* and *debauchery*, and these multiplied according to the number of those wretched *females* who become the hapless victims of the pride, lust, and tyranny of their oppressors.

*Where each fair neck the yoke of slavery galls,
Clos'd in a proud SERAGLIO's gloomy walls;
And taught, that levell'd with the brutal kind,
Nor sense, nor souls, to women are assign'd.*

DUNCOMBE—*Feminiad*, p. 8.

Was the truth of God received, did real affection unite the parties, the prison-doors would be thrown open, the unhappy guards dismissed, and numbers bless the day, when choice established the union, when faithful-

* Lady M. W. M. letter 41, says to the Countess of B— “ But you'll object, that men buy women *with an eye to evil*.” “ In my opinion, they are *bought* and *sold*, as publicly and as infamously, in all our *Christian* great cities.”

ness was secured by affection, and all seduction and dereliction prevented by the guardianship of the *divine law*. On the other hand, were a *missionary* to go into those countries where *polygamy* is allowed, and open his commission with declaring, that—"though *polygamy* was allowed under the law, yet CHRIST forbid it under the gospel"—he would go with a *lye* in his right hand. II. xliv. 20. He would have nothing to do but to take the plan of the *marriage-act* in his left, and tell the people, that "unless banns were published in the *mosque*, or ten * *zinger* *lees* were given to the *Mufti*, or some lesser sum to the *chief Imams* for a *licence*, and unless the ceremony be performed in such a particular place, the marriage is void to all intents and purposes whatsoever, the positive institution of God to the contrary notwithstanding." This would make the *lye* complete, and probably procure the † *missionary*,

* About ten guineas English.

† Since I finished the manuscript of these papers, I have met with a book, which made a great noise in Europe at the latter end of the last century; its title is—*Polygamia Triumphatrix*, in which is the following remarkable passage: "Taceo quod multi Gentiles, & Turcæ, apud quos *polygamia* viget, ad Christianam fidem sint accessuri, si *polygamia* apud nos non esset prohibita. Sicuti constat uti vir diffusissimæ eruditionis *Gisbertus Voetius* testatur, quod totum regnum *Tonchinum* una cum rege ad Christianam fidem fuisset conversum, nisi *Jesuitæ* in suis concionibus jamdum conversos a *polygamia* dehortati fuissent, & regi ipsi persuadere voluissent quod ipsi omnes uxores excepta unica, si Christianus fieri vellet, sint deserendæ. Quæ

sionary, what he would richly deserve, an hearty *bastinado* for his pains. That any rational

“ res adeo movit ipsum regem, ut omnes illos apostolos, uti audire volunt, cum *apostolica*, seu potius *chimærica* doctrina ejecerit. De quo damno ecclesiæ illi hostes, non tantum polygamias, sed etiam matrimonii, respondebunt aliquando in extremo judicio.”

“ I mention not that many Gentiles and *Turks*, among whom *polygamy* is much used, might come over to the *Christian* faith, if *polygamy* were not prohibited among us. *Gisbert Voetius*, a man of most extensive erudition, testifies, that the whole kingdom of *Tonquin*, together with its king, might have been converted to the *Christian* faith, unless the *Jesuits* had in their discourses dissuaded those who had been already converted, from *polygamy*; and even chosen to persuade the king himself, that he must put away all his wives except one, if he would become a *Christian*: which so provoked the king, that he cast out all those *apostles* (as they would be called) together with their *apostolical*, or rather *chimærical*, doctrine. For which loss to the church, those enemies, not only of *polygamy*, but even of matrimony, will answer at the great day.”

Lord Kaims, Hist. of Man, vol. i. p. 197, observes, that among the most zealous Christians in the kingdom of *Congo*, polygamy is in use as formerly, when they were *Pagans*; and that sooner than give it up, they would renounce *Christianity*.

Bellarmino, De Matrim. c. 12. very piously saith—
“ Ob *solam polygamiam* infideles a baptismo & toto *Christianismo* arcendi.”—“ That infidels who use *polygamy*, are for that sole cause to be driven from baptism, and from the whole of *Christianity*.”—Query—
If this be not to strain out a gnat, and swallow a camel?

In c. 10. of the same book, the same *Bellarmino* saith—
“ *Polygamia* non repugnat juri nature, quod est divinum, quod unus vir ex pluribus fœminis liberos possit suscipere & alere.”—“ *Polygamy* is not repugnant to the law of nature, which is divine, that one man might beget and bring up children by more women than one.”

Contradiction

tional beings can be brought to believe such absurdities in any part of the globe, is one sad proof of the ascendancy which superstition has over the minds of men, and of the small pains which in general are taken by them to * inform themselves in matters of the highest consequence; of which I shall next proceed to treat, in the following chapter.

I will only observe here, however strange it may seem, that our notions relative to the *commerce of the sexes*, are by far more friendly to † *polygyny*, than the *Turkish* system of *polygamy* is. A *Turk* may take one or more *wives*; but then they are kept in his *baram* as his inviolable property—no eye of a

Contradiction must ever be found, where people err from the *one consistent truth of God*.—Hence it is no wonder, that, notwithstanding all the bitterness of that gloomy misogamist *Jerome*, against even marriage itself, in his writings against honest *Jovinian*, that he should say, when writing to *Pammachius*—*Non damno polygamos*.—"I do not condemn *polygamists*."

* "They tread in the steps of their fathers, never examining whether they be right or wrong. Custom and education have almost banished reason from the earth.

"The *Hircanians* and *Bactrians* cast their aged parents, yet living, to the dogs: which inhumanity, when *Stasanor*, the deputy of *Alexander the Great*, endeavoured to suppress, they had like to have deposed him from the government: so prevalent is the force of a received custom on the minds of the unthinking herd." *Turkish Spy*, vol iv. p. 39.

† By *polygyny* (from *πολυς*, many, and *γυνή*, woman) is meant—the having more women than one, without marriage or other obligation towards them.

By *polygamy* (from *πολυς*, many, and *γαμος*, marriage) is meant—the having more wives than one.

stranger can * ever behold them, and they are maintained and provided for, as liberally as the man's circumstances will permit. Whereas, among us, a man may *take* as many women as he can seduce, and abandon them whenever he pleases; they can claim no property *in him*, nor he *in them*; he turns them upon the *common*, either to starve with hunger, or rot by *prostitution*.—That this is against the law of God, is very clear; but there is nothing in our law which can either prevent or remedy it. Had we, at the *Reformation*, adopted the law from *Mount Sinai*, instead of that from the *council of Trent*, relative to *marriage*, such things could not exist.

With regard to the depredations which are made on *married women*, how may the *Mahomedans* † shame us! So sacred are wo-

* The distrust of the *Turks* is so great, that they will not permit their wives to see any man whatsoever, no, not their nearest relations; and a woman that should shew her *face*, nay, even her *hands*, would be looked on as dishonoured. *Le Bruyn*, vol. i. p. 453. What would a *Turk* think of *Christian* wives, as they appear in *public places*, where it is even *unfashionable* to have the husbands of their party?

† N. B. "I am much pleased with the *Turkish* manners; a people, though ignorant, yet, in my judgment, extremely polite. A gallant convicted of having debauched a *married* woman, is regarded as a pernicious being, and held in the same abhorrence as a *prostitute* with us. He is certain of never making his fortune, and they would deem it scandalous, to confer any considerable employment, on a man suspected of having committed such enormous injustice." Lady M. W. M. vol. iii. 189. edit. 1767.

men

mēn in *India*, that, even in the midst of slaughter and devastation, the common soldier leaves them unmolested; the *baram* is a sanctuary against all the licentiousness of victory; and ruffians, covered with the blood of an husband, shrink back, with veneration, from the secret apartment of his wives. But this is not confined to *India*. At *Constantinople*, when the *Sultan* sends an order to strangle a state criminal, and to seize on his effects, the ruffians who execute it enter not into the * *baram*, nor touch any thing belonging to the women. See *Alexander*, Hist. of Wom. p. 191.

In short, we may boast of our *monogamy*, and condemn *polygamy*—but there is not a nation under heaven, where *polygyny* is more openly practised, than in this *Christian* country; for though a man can marry but one at a time, he may have as great a variety of women as he pleases, without ever marrying at all. This is so inveterated by custom, that those laws of *Heaven* which were made to prevent it, seem to be totally forgotten.

* It was a bitter *satire* on the *Christians*, which was uttered by *Mehemet Effendi*, the last *Turkish* ambassador in *France*—"We *Turks*" (says he) "are great simpletons, in comparison of the *Christians*. We are at the expence and trouble of keeping a *seraglio*, each in his own house; but you ease yourselves of this burden, and have your *seraglio* in your friends' houses."—See *HUME's Essays*, 3d edit. vol. i. p. 252. How far we have been imitating the manners and customs of the *French*, so as to make ourselves objects of the above reflection, I leave to others to determine.

However this *Christian* land may suffer by such comparisons as have been made above, yet I cannot refrain from carrying them still further. The just detestation and abhorrence with which we look on a *Turkish SERAGLIO*, and all the appendages relative to the management of it, ought still to increase, when carried to a survey of our *Seraglios* in *England*; I mean our *public brothels*; where are to be found numbers of young, beautiful, and once modest and innocent *females*, who have been seduced and deserted, and are now driven into the horrid necessity of *common prostitution* to keep them from starving. The doors of these *houses* of *infamy* are open to every *comer*, the women the temporary property of every *visitor*—filthiness and obscenity defile their conversation, and the most abandoned profligacy attends their actions:—these *houses* are accommodated to men of all ranks and degrees, from the highest to the lowest; and, lest the plan of lewdness should suffer by being narrowed within the boundaries of walls, every public street, after a certain time of night, exhibits a kind of *itinerant Seraglio*, where men are saved the trouble of going out of their way; they are met by numbers of women, whose language and behaviour are too shockingly indecent to mention, and who seem so far to have obliterated every trace of *female* delicacy, as to retain nothing which can bespeak them to be women, but their mere shape.

Let

Let us, from these scenes of horror, turn our eyes to the *wards* of a *public hospital*, to which the *barpies* are consigned by the force of a *disease*, which, after having communicated to numbers of men, threatens their own destruction. Here may be seen, *female ruin* in its last stage of ignominy and misery. The bloom of youth, the gracefulness of form, the beauty of features, are fled and gone; and the whole frame dissolving into corruption, rottenness, and dust. The mind, equally contaminated with the body, exhibits a hideous mixture of remorse, ignorance, guilt, stupidity, hardness, and despair.

What can the *Grand Seignior's SERAGLIO*, or the *HARAM* of a *Turkish Bassa* exhibit, equally horrible, equally disgraceful (not only to all good policy and government, but even to human nature itself) with these *scenes*, which are the objects of common observation in this *Christian country*?

When it is considered, that, all this arises from a *system* of total *irresponsibility* of the *seducer* to the woman he *seduces*, it is reduced to a very *simple* principle, and the *simplicity* of the *remedy* speaks itself.

I will conclude this chapter with a summary of its contents, which are all reducible to one general rule.—God's *ordinances*, being of His *own* appointment, are solely under *His own authority*; so that *men* cannot change or alter them, either with respect to *themselves* as to the *matter* of them, or as to their *operation*, *force*, and *effect*. *Marriage* is an

ordinance of God, of His own appointment, both with respect to the thing *itself*, and its *operation, force, and effect*, with respect to us—therefore, as to these, is solely under God's authority, and cannot be changed or altered by human laws. As the substance of the *bread and wine* in the LORD's supper, remained the *same* after consecration as before it, notwithstanding the bloody edict of Henry VIII. above mentioned; so *marriage* remains, as to the *matter, force, effect, and obligation* of it upon the parties, just the *same* in the sight of God *now, as before* 26 Geo. II. c. 33.

As no human law can change any *ordinance* of God, so neither can it change any *truth* of God.—I firmly believe, that the 39 articles of the *church of England* contain, in point of doctrine, the truth of God; but I do not believe this one jot the more because they are enacted by authority of *parliament*: nor should I believe it one jot the less, if the efforts of their *Arian* and *Socinian* adversaries were to succeed, and the *parliament* was to declare their obligation upon men's consciences, as well as the articles themselves, and all things contained therein—"null and void" *to all* intents and purposes whatsoever; "any law or usage to the contrary notwithstanding."

There is a *statute* which has been before mentioned, viz. 31 Hen. VIII. c. 14. which makes it *felony, without benefit of clergy*, to assert that the *communion in both kinds* is *necessary*.

cessary to the laity, or ought to be *administered*, or *received*—but this law could have no effect upon the nature of the ordinance as in God's sight.—So 1 Jac. c. 11. makes a man a *felon*, and to *suffer death*, for having *two wives* together—but can this be proved to affect such a *marriage*, or to make it null and void or sinful in God's sight? The only way to prove that either of these laws are binding on men's consciences, is, to prove that they harmonize with God's truth as revealed in the scripture, otherwise one is just as much unauthorized as the other.

As to mere *circumstantials*, which respect outward order and decency, as they are no part of the ordinances themselves, they may be under the appointment and controul of man. So when our *Rubric* says—that there shall be “ a table with a fair white linen cloth upon it,” at the administration of the *sacrament of the LORD's supper*—and again, with respect to *baptism*—that “ without great cause and necessity, the people shall be warned that they procure not their children to be baptized at home in their houses”—I see no sort of harm in all this; but if the *act of parliament*, which confirmed the *Rubric*, had gone on—“ And be it enacted, that if the sacrament of the LORD's *supper* be administered without such fair white linen cloth upon the table, or *baptism* be administered in private houses, unless for such great cause and necessity aforesaid, such sacraments of the LORD's *supper*, and
“ *baptism*,

“ *baptism*, so administered, shall be utterly
 “ *null and void* to the receivers of the same,
 “ *to all intents and purposes whatsoever*”—this
 had been an attack upon the *ordinances and*
truths of scripture—not a lawful and autho-
 rized *statute*. Let this reasoning be applied
 to the question of *marriage*, as it is a * *civil*
contract, and as such the *object of human laws*
 —and as it is a *divine institution*, and as
 such *not the object of human laws*—then it
 may easily be determined how far these
 ought to be binding on the consciences of
 men, where marriage is concerned.

* The *outward* contract between the parties, is cer-
 tainly of a *civil* nature, and ought to belong to the *civil*
magistrate. In this respect, the *clergy* have no more to
 do with it than they have with *finis* and *recoveries*, or
 any other temporal causes. The payment of the *מָדָר*
 or *dowry* (see before, vol. i. p. .) among the *Jews*,
 which was in nature of a *civil* contract, was transacted
 between the man and the damsel's father; but had no-
 thing to do with the *priests* and *Levites*; nor was it any
 part of the *Temple* service.

C H A P. VIII.

Of SUPERSTITION, *more especially relating to the Subjects treated in this Book.*

WHEN man fell from God by disobedience, in striving to make himself *wiser* than God had made him, and that by means which God had forbidden, he lost that image of *knowledge* and *wisdom* in which he was originally created. (Comp. Gen. i. 26. Col. iii. 10.) The only means of any restoration to this, must be by *revelation*; for as man by transgression had brought *darkness* into his soul, as well as *guilt*, this could never have been removed by any powers of the human will or understanding; He *alone* who created the *material light*, could dispel the clouds in which the human mind was involved, and cause once more the *light of the knowledge of the glory of God* to shine into the desolate and benighted heart of man. Nothing could have * discovered any traces of

* “ God hath given out to us the whole of His *mind*
 “ and *counsel* concerning us in *writing*, as a merciful
 “ and stedfast relief against all that confusion, darkness,
 “ and uncertainty, which the vanity, folly, and looseness of the minds of men, drawn out and heightened
 “ by the unspeakable altercations which fall out amongst
 “ them, would otherwise certainly have run into.”
 Dr. Owen on the Scriptures, p. 28.—to which we may add—which they *have* run into by leaving the *written word*,

the *divine* mind and will, but those gracious declarations of them, for which fallen man stands solely indebted to the free and gratuitous interposition of divine mercy and goodness. *For what man knoweth the things of a man, save the spirit of man which is in him? Even so the things of GOD none (ὅδεις) knoweth—but the Spirit of GOD.* 1 Cor. ii. 11.—*Who hath known the mind of the LORD, and who hath been His counsellor?* Rom. xi. 34.—*My thoughts are not your thoughts, neither are my ways your ways, saith the LORD; for as the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts.* Is. lv. 8, 9.—*Canst thou by searching find out GOD, canst thou find out the ALMIGHTY to perfection? It is as high as heaven, what canst thou do?—deeper than hell, what canst thou know?* Job, xi. 7, 8.

This is giving us fair warning of our deplorable ignorance with respect to GOD and His will and ways.—Still—*vain man would be wise, though man be born like a wild * ass's colt.*

* “How keenly is this comparison pointed!—*Like the ass's*—an animal remarkable for its stupidity, even to a proverb;—*like the ass's colt*—which must be still more egregiously stupid than the dam; *like the wild ass's colt*—which is not only blockish, but stubborn and intractable; neither possesses valuable qualities by nature, nor will easily receive them by discipline.—The image in the original is still more strongly touched. The comparative particle *like* is not in the *Hebrew*; it is—*born a wild ass's colt*—or, as we should say in *English*—*a mere wild ass's colt.* HERVEY, *Ther. and Aspas.* vol. ii. p. 237. 5th edit. 1777, octavo.

Job xi. 12. His imagination will set to work ; and though he be assured that *all scripture is given by inspiration of God, and is profitable for doctrine*—therefore is to *teach* us ; —for *reproof* (*προς ἐλεγχον*)—for *reproof or conviction of sin and error*—and therefore to set them before us in their true light ;—for *correction*—*ἐπανορθωσιν*—for setting right and amending that which is wrong ;—for *instruction*—(*παιδειαν*—institution—discipline) *in righteousness* ; and all this that the *man of God may be perfect, thoroughly furnished unto all good works*, and thus *be made wise unto salvation* (see 2 Tim. iii. 16, 17.)—yet, such is the pride, such the folly of man, he will not be satisfied with what God hath revealed, but would fain make some discoveries of his *own* concerning God and *religion*, which, rather than part with, he will even make the criteria and standards of truth ; will endeavour to reconcile his own *inventions* with God's *revelations* ; and if this be too hard, the next experiment is to accommodate the *divine revelations* to his *own inventions*. There are no *popular systems of religion and worship*, where this is not to be found. This was the plan of the *Babel-builders* of old time, and ever since it has been, as *they were, scattered over the face of the whole earth*. Gen. xi. 8. The *Heathen*, who had the *volume of nature* open to them for their instruction (Rom. i. 19, 20.) *became vain in their imaginations, and their foolish heart was darkened—professing themselves to be wise, they became fools, and changed the*

*the truth of God into a lye, &c. ver. 22, 25. The Jews, with the written volume of divine revelation before them, set their imaginations to work, trying to find out some holier and better way to walk and to please God than they found there—till they were as much lost to the teachings of God's word, as the Heathen were to the teachings of the outward creation—till, as Isaiah, lx. 2. expresseth it—darkness covered the earth, and gross darkness the people.—The Christian churches began very early to tread in * the same steps, and to*

* When we contemplate *Christianity*, as revealed in the Old Testament, and as opened to us in the New Testament, we may truly call it a most noble, most gracious, and most glorious display of heavenly wisdom, an emanation from all the perfections and attributes of the DEITY; suited, *divinely* suited, to relieve the wants, and to heal the misery, of fallen man—to stamp once more the *divine image* on the human soul, and make it meet to partake of the inheritance of the saints in light. Col. i. 12.

But if it be considered *only* as it appears when *contaminated* with the vain reasonings of men, of corrupt minds—*adulterated* by human sophistry—*perverted* to serve the cause of earthly power and worldly dominion, or to quadrate with human systems—*darkened* by folly and superstition—*disgraced* by the uncommanded austerities of visionaries and enthusiasts—*scandalized* by the monstrous vices of its professors—*wrested* by disputants into palpable contradictions, and made subversive of the *divine law*—but above all, as pressed into the service of fraud, rapine, injustice, and cruelty—it then appears, not only unworthy of the DEITY, but the most mischievous and horrid *superstition* that ever infested the earth. Little better than all this, are the views of it presented to us by the most faithful historians, in their accounts of the church, but more especially after the *empire* became *Christian*,

to invent schemes of *holiness* and *purity* with respect to *manners*—of *mortification* and *austerity* with regard to *discipline*, and *not sparing of the body* (Col. ii. 23.)—of *rites* and *ceremonies* with regard to *worship*—of *human wisdom* and *science* with respect to *doctrine*—till they even (before two centuries were elapsed) vied with *Babel* itself; and whoever can read *Dr. Mosheim's* account of the early ages of *Christianity*, without thinking it as great a miracle as any recorded in the *gospels*, that they should ever reach us at all, but more especially in the pure state in which they are among us, will appear to have a talent at accounting for things by *second* causes, beyond the capacity of any writer I yet have met with. Why *Heathens*, *Jews*, and *Christians*, should act so uniformly towards those *revelations* which God at *sundry times* and in *divers manners* (Heb. i. 1.) hath vouchsafed them, is all accounted for on one simple principle—Prov.

Christian, when we read of little else, in general, than the intrigues of *churchmen* against one another, and the rest of mankind, in order to gratify their ambition and avarice—and to satiate their pride, revenge, and cruelty. That the scriptures should be preserved to us entire, when coming through *such hands*, is as evident a miracle, as it would have been to have kept a spark of fire alive in the *heart of the sea*. But here let me mention, with veneration and honour, the comparatively faithful *few*, who, in the face of difficulty, danger, and even *death itself*, maintained their integrity, and *shone as lights in the world*—such are well called—the *salt of the earth* (Matt. v. 13.) for it has been by the *savour* of their *lives* and *doctrines*, that the whole *mass* has been preserved from total corruption.

xxvii. 19. *As in water face answereth to face—so doth the heart of man to man.* Hence it is, that through all ages of the church, those who have invented *systems* for others, have constantly been mixing the peculiarities of some or other which they have had invented for *them*:—there is therefore no security to be found from error, until a man is really and truly

Nullius addictus jurare in verba magistri.

HOR.

*Friend * to all sects—but blindly sworn to none.*

FRANCIS.

The *Apostle*, 1 Theff. v. 21. says, *Try—prove—examine—δοκιμαζετε—assay*, as refiners do metals, *all things*; hold fast that which is good.—Beloved, saith 1 John iv. 1. *Believe not every spirit, but try the spirits whether they are of God, because many false prophets are gone out into the world.* But how is this trial to be made?—Not by the poor ineffectual fire of human wisdom—but by putting what we hear or read into the furnace of divine truth, by searching the scriptures, comparing spiritual things with spiritual, and whatsoever will abide this, we may believe to be true; for God's truth, like His children that we read of Dan. iii. 27. the more it is tried, the more evidently will it appear to be his peculiar care, and the more glorious will it come forth.

* The author means, as far as *Christian love and charity* call upon him to be so.

His having raised up men from time to time in all ages of the *church*, who dared † thus to examine into the truth for themselves, and then to attack the *superstition* of the day in which they lived, is to be reckoned among the foremost of those *second causes*, by which the *truth* hath been preserved to us. Yet much remains to be done; and surely none, who call themselves the real friends of mankind, can help wishing for the day, when those shackles which have been fixed upon the consciences of men by *priestcraft*, *bigotry*, and *vulgar error*, shall all drop off, and when men shall be bound, in all their actions towards *Heaven* and *each other*, by the ties of *justice*, *mercy*, and the *love of God*—

† There are few more beautiful images in any poet whatsoever, than that, by which Mr. *Prior* represents the doubts and fears of the human mind, when determining simply for itself, and the confidence and boldness with which it acts, when it has *vulgar opinion* on its side.

Poor ALMA, like a lonely deer,
O'er hills and dales does doubtful err :
With panting haste, and quick surprize;
From ev'ry leaf that stirs, she flies;
Till, mingled with the neighbouring herd,
She flights what erst she singly fear'd;
And now, exempt from doubt and dread,
She dares pursue, if they dare lead :
As their example still prevails,
She tempts the stream, or leaps the pales.

He then, quoth Dick, who, by your rule,
Thinks for himself, becomes a fool. &c.

ALMA, Canto III.

VOL. II.

H

Matt.

Matt. xxiii. 3. Luke xi. 42.—when whole *hecatombs* of seduced, ruined, and deserted *females* shall cease to *pass through the fire* of men's lust to *Moloch*, and to be offered at the shrine of *prostitution*.

Fable tells us, that *seven* noble *Athenians* were annually given to be devoured by the monster *Minotaur*; that this inhuman custom prevailed until *Theseus* slew the devourer:—we may say of our present *system* of laws, relative to the *commerce of the sexes*,

———— mutato nomine de te
Fabula narratur ———

Change but the name, the fable's told of thee.

only with this difference, that *seven* victims satisfied the *Cretan monster*, but not seventy—nor seven hundred—nor seven thousand *seduced virgins* are sufficient to complete the quota which is annually furnished, by the *female sex*, of sacrifices to the monster *Prostitution*. So it has long been, and so it still must be, until a restoration of God's most *holy* and *beneficent law* shall take place among us.

Superstition is the offspring of human *pride** and *ignorance*: as these are to be found
in

* These have always been fast friends to each other, and most determined *foes* to all that can oppose their influence over the minds of men. The difficulties which they have laid in the way of all discoveries or revivals of *truth*, in matters of *human science* as well as of religion, are manifest to all who are acquainted with the history
of

in the nature of every child of fallen *Adam* ;
 so, as these are *more* or *less* subdued by the
 power

of the world. When, after the darkness of many ages, the first dawn of learning and taste began to appear in *Europe*, learned men in different countries began to cultivate *astronomy* : *Galileo*, a *Florentine*, about 1610, introduced the use of *telescopes*, which discovered new arguments in support of the motion of the earth, and confirmed the old ones, which had before been made use of by *Copernicus* ; but such were the pride and ignorance of mankind, and such the fury and bigotry of the *priests*, that *Galileo* was forced to renounce the *Copernican* system as a *damnable heresy*. This very *philosophy* is now, as improved by Sir *Isaac Newton*, adopted as the true system of the universe. We might here also mention that barbarous murder, which was committed on *Vigilius*, a *Christian Bishop*, who was burnt by the decree of the *Roman church*, for asserting the *Antipodes* ; a truth which all nations are now sensible of, since the improvement of navigation and traffic. See *Turkish Spy*, vol. ii. p. 92. edit. 1691. By this, and many other instances which might be given, we may judge how small the bias of *popular opinion* ought to be, where *truth* is concerned. This observation may be illustrated still farther, if we consider the opposition given to the introduction of the *Quinquina* or *Jesuits bark*, about the middle of the last century, now almost universally acknowledged to be one of the greatest and best remedies in the whole province of medicine ;—and, in our time, how were the whole college alarmed at the *fever powder* introduced by Dr. *James*, now proved to be almost a *specific* in *inflammatory fevers* ?—What abuse and opposition did Mr. *Sutton* incur, because he introduced a method of preventing patients in the *small-pox* from being stewed to death by the ignorance of *physicians* ?—now this very method is become the most *approved* practice.

Cætera de genere hoc (adèd sunt multa) loquacem
Delassare valent FABRIUM.

HOR.

power of divine truth, *superstition* will *less* or *more* bear its sway in religious matters.

By *superstition*, I would be understood to mean—a devotion which has no foundation in the revealed will of God, and either rests in the imagination of the party, or owes its sanction to some *mis-interpretation* or *ill-understanding* of the *revelation itself*. Under the former head, we may rank the various *superstitions* of those nations on whom the light of God's revelation, as contained in the *Bible*, hath not yet arisen. Under the *latter* we may include many strange and indefensible *opinions*, which are maintained as so many inviolable *truths*, even among those who are blessed with the *oracles* of God, and who profess to believe them. The church of *Rome* abounds in this sort of *superstition*, insomuch that she will plead the *wisdom* of God, as revealed in *His word*, for the maintenance of *absurdities* too

The numbers of like instances we meet
Would tire the most *loquacious* to repeat.

The author therefore by no means thinks he shall escape the obloquy of the *world*, for daring to publish a *treatise* which militates so diametrically against the inveterate opinions, prejudices, and customs which *folly* and *superstition* have established among us. However, if he be but the instrument of holding forth the *mind* of the great moral Governor of the *universe*, so as to excite the attention of the candid and inquisitive to still deeper researches after it, some abler and more respectable pen may be the means of finishing what is here begun, and men be prevailed upon, to consider the dreadful consequences of a departure from that *divine system*, which was established by *infinite wisdom* for the *preservation* and *continuation* of the human species.

palpable

palpable and gross to conceal themselves from the discovery of our *outward senses*; yet believed, or professed to be believed, by *whole nations* of professing *Christians*, who are taught to look no farther than the *authority* of the *church*, and to submit their *understandings* and *consciences* to the dominion of *men* * *like themselves*. A melancholy proof this of the *superstition* and *folly* to which we are exposed, when once we can yield our assent to popular opinion, without giving ourselves the trouble to *search the scriptures*, as the *Bereans* did (Acts xvii. 11.) and to enquire for ourselves *whether these things are so*.

Free enquiry, when exercised with an honest desire to *know* and to *do the will of God*, is not only the *privilege*, but also the *duty* of every *reasonable creature*. To believe a *proposition* because it has the sanction of *popular opinion*, *worldly customs*, and *human laws*, may as well land us in *Popery* as in *Protestantism*, or in *Heathenism* as in *Christianity*, or in any thing else which it is the fashion to believe in the country where our lot is cast. *Brethren*, saith *Paul*, (1 Cor. xiv. 20.) *be not children in understanding, but in understanding be men*. Saith 1 Pet. iii. 15. *Be ready always*

* There is something very severe, but very true, in that sarcasm on the *ignorance* of *Romish* priests, and the *credulity* of the people, which *M. De Voltaire*, in his tragedy of *Oedipus*, puts into the mouth of *Jocasta*—

*Nos Prêtres ne sont point ce qu'un vain peuple pense ;
Notre credulité fait toute leur science.*

to give an answer to every man that asketh you a reason of the hope that is in you—that is, a scriptural, wise, and solid reason. But how can this be done, unless we acquaint ourselves with some better foundation of our hope, than the bare IPSE DIXIT, the mere “SAY SO,” of any man, or all men put together?

One of the worst properties of *superstition* is, that, when it becomes inveterate, when grown old by long custom and usage, having descended from father to son, from generation to generation, it is as difficult to eradicate it out of the *body politic*, as to expel a long-fixed chronical disease out of the *natural body*. In some instances, perhaps in most, nothing but *dissolution* itself can effect it. The Pope's supremacy and infallibility—the doctrines of masses for the quick and dead—indulgences—five of the seven sacraments—the celibacy of priests—transubstantiation—the adoration of the host—the worship of images and relics—praying to the Virgin Mary—the invention of purgatory—and other most sacred *superstitions*, are so ingrafted into the very constitution of the *Romish church*, that they can never be destroyed, without destroying that *political fabric*, which they call THE CHURCH, itself. This actually happened at the *Reformation*—these things being abolished, there was an end so far of the *church of Rome*.

When we reflect on the *superstition* with regard to *marriage*, which has so long reigned

in the *Christian church*, and is as much interwoven with *our laws*, as the other *superstitions* before mentioned once *were*, we may perhaps fear that this can never be destroyed, without destroying the whole *fabric* of those laws which support it.

Still *superstition* is *superstition*, however venerated or dignified; and every man who endeavours to detect it, and to destroy its mischievous supremacy over the minds of men, is equally a friend to religion and to mankind. The zealots on the side of the *superstition* will make an heavy cry against the *detector*, as the *Papists* did against the *Reformers*, or as the *Ephefians* did against *Paul* when he attacked their great *DIANA*, whom all *ASIA* and the world worshipped, (Acts xix. 26, 27.) by teaching, that *they are no Gods which be made by hands*. But our glorious *Reformers*, knowing that they had the truth of *GOD* on their side, boldly pushed on, as *Paul* on the same principle had done before them; nothing could prevail on them to be silent in the important cause which they had undertaken, until, happily for themselves, and for succeeding generations, they found the force of that saying—*Magna est veritas & prævalet*.—GREAT IS THE TRUTH, AND WILL PREVAIL.

I would not be understood as giving the name of *superstition* to every circumstance of *worship* and *religion* which is not to be found in the *Bible*. Let all things be done decently and in order, is the direction of an inspired

Apostle, 1 Cor. xiv. 40. Many things may be observed and used for these purposes, not only innocently, but with much expediency; and while they are looked upon only in *this* light, they ought to have due reverence, and *to be submitted to for the LORD's sake*. 1 Pet. ii. 13. But when once certain appendages of human invention, are put in the place of, or made to supersede the obligation of *divine institutions*, there they erect themselves into *superstitions*, and, so far from claiming *reverence*, deserve * *contempt* and *abhorrence*, more especially when they are attended with *ruin*, *destruction*, and *desolation* to thousands, whom the law of GOD was formed to protect and to preserve.

I have before compared the *divine* institution of *marriage* to those other *divine institutions* of *baptism* and the LORD's *supper*, as equally ordained of GOD, therefore equally exempt from the controul of man, with respect to its *essence* and *obligation* in GOD's sight. Laws which men may make to alter or change these, are to be considered as *ipso facto* null and void with regard to the conscience, otherwise the ordinances of Heaven might in time become no ordinances at all. Though

* A stronger case than any above hinted at, meets us in the *holy scriptures*. The *brazen serpent*, ordained by GOD Himself, as a glorious *type* of our *once CRUCIFIED*, but *now EXALTED SAVIOUR*, when, in after times, it was abused to the purposes of *superstition* and *idolatry*, was broken to pieces by *king Hezekiah*. Comp. Numb. xxi. 8. John iii. 14, 15. 2 Kings xviii. 4.

the *Pope* has banished the *cup* from the administration of the *LORD's supper*, and thus abolished one half of the divine institution with respect to the *laity*, yet this cannot make the least alteration as to the essence and obligation of the thing itself in God's sight; the entire *sacrament* remains just where *CHRIST* left it, though *man* has put *asunder* what *GOD* hath joined together. So is it with the ordinance of *marriage*—those who are joined together by that ordinance by which they are pronounced *one flesh*, are so, and must remain so by virtue of the *divine* command, though all the legislative bodies on earth were to meet together, and make a law to put them *asunder*.

Superstition says otherwise.—It has long taught us to tread the ordinance of God under foot, to vacate its obligation, to destroy its efficacy, to deny its validity; and *marriage* is now supposed to consist in a *human ceremony*, administered by a *fellow-creature*, and that on such *terms* and *conditions*, as the fancy and imagination of mankind have first *invented* and then *imposed*.

Marriage was instituted, and its *one* ordinance appointed, *thousands* of years before there were buildings called *churches* or *chapels*—*steeple*s—*bells*—*Popish priests*—or *mass-books*. It is, as instituted by the God of nature, simply *one* and the *same* throughout all ages and generations, therefore *one* and the *same* as to its *import*, *validity*, and *obligation*, in the sight of God.

The

The particular laws which it pleased the ALMIGHTY to ordain for the honour of his own *moral government*, and for the *peace, welfare*, and good order of *society* in general, as well as for the protection and defence of the *individuals* which compose it, were clearly revealed by God at *Mount Sinai*, and committed to writing by *Moses*. These laws can never alter, much less give way to the *superstitious* inventions of men, but stand on record and bear their testimony against all *ungodliness* and *unrighteousness* of men, notwithstanding a *Popish indulgence*, or the sanction of an *act of parliament* to the contrary. These laws declare, that if any man be found lying with a woman *betrothed* or *married* to an husband, it is *adultery* in both, and BOTH must DIE—but if with a *virgin not betrothed*, she shall be his wife—he may not put her away all his days—BECAUSE HE HAS HUMBLLED HER. The reason here given is very plain and conclusive, but with us it is no reason at all, we (practically at least) read the law thus—she shall not be his wife—he may put her away when he pleases, though he has HUMBLLED HER—unless a certain human being called a *priest*—reads out of a service-book a certain *form of words*, called a *form of solemnization of matrimony*—in a certain place, called a *parish church* or *chapel*, and all this in compliance with a certain *human law* made for that purpose.—The whole is dependent on the humour of the parties, for if either be base or wicked enough to depart from their *engagement* before

fore God, and to refuse a compliance with the *outward ceremony*, no *legal* restraint is laid on their total departure from each other; they may utterly divorce each other for ever—and *this*, though GOD'S LAW positively forbids it, in words clear and plain as if written with a *sun-beam*.

Notwithstanding what is above observed, that which *was*, still *is*, and ever *will be*, the *Divine mind* and *will* upon the subject of *marriage*, and of that ordinance by which it is effected in the sight of GOD. No *outward ceremony* could add to its obligation, and accordingly we find no trace of any such thing in the scripture; the ceremonial appointment of the paying the *fifty shekels* to the *damsel's father*, seems to be the only *outward recognition* of the *contract* which appears under the law of *Moses*; but not a vestige do we find of the interference of *priests*, or *rites* and *ceremonies* of *matrimony* being any part of the *temple service*. The *Jews* indeed in after times invented many *rites* and *ceremonies* * upon the occasion;

* A particular account of these may be seen in *Broughton*, Hist. Lib. vol. ii. p. 179. None of them are to be found in the law of *Moses*, but consist of various inventions of their own; though one in particular, mentioned Matt. xxv. 1—7, seems to have been borrowed from the *heathen* customs—that of the *bridegroom* conducting the *bride* to his house by the light of torches at night. See *HARMER's outlines*, p. 330. n.

Νύμφας δ' ἐκ θαλάμων, δαΐδων ὑπολαμπόμεναι,
 ἡγίνων ἀνδ' αἴψυ, πολὺς δ' ὑμέναιος ὄρῳσι.

Hom. Il. Σ. l. 492—3.

Alon

occasion; but as none of these are to be found in *boly writ*, they cannot be supposed in the least essential to the *ordinance* of *marriage*. It appears from some passages of scripture, as John ii. 1. Matt. xxii. 2, &c. that it was usual for the parties to call their friends and neighbours together, and to make

Along the freet the new-made brides are led,
With *torches* flaming, to the nuptial bed. POPE.

So VIRGIL, Ecl. viii. ver. 29.

Mopse novas incide faces; tibi ducitur uxor.

————— prepare the *lights*,
O *Mopsus*, and perform the bridal rites.

DRYDEN.

So Æn. iv. l. 18. we find the word *tæda*, a *torch*, put for marriage itself.

Si non pertæsum thalami *tædæque* fuisset.

On which the *Delphin edition* thus comments—
Tædæque.] Facis è *tæda* arbore é picearum genere :
pro nuptiis sumitur; quia præferebatur novæ uxori, in
mariti domum deducendæ.

And of the *torch*] made from a tree of the *pitch* or
rofin kind (see *Ainsworth*, sub *Picea*.)—It is *used* to signify
marriage, because it was carried before the *new-married*
wife, when she was to be brought home to the house of
her husband.

Claustra pandite januæ
Virgo adest, viden' ut *faces*
Splendidas quatiunt comas?

The virgin comes—ye gates unfold your leaves;
See how the shining *torches* shake their flames.

CATULL. Epithal.

The glorious use which our BLESSED SAVIOUR makes
of this custom, in that beautiful and instructive parable
of the *ten virgins*, is well known.

a *feast* * or *entertainment* on the occasion; but this was no more a part of the *marriage*, than the *king's* coronation-dinner is a part of his *title* to the crown; nor can any human ceremony add any more to the validity of a *marriage* in the sight of God, than the *coronation* itself does to the *king's* right to the throne of these realms: this indeed is a solemn recognition, a public notification of something which existed before, but does not in the least add to its validity in the sight of God. If a *king* of *England* was to die before his *coronation*, he would die as really *king* of *England* as if he had survived that ceremony, and the crown would equally descend to the heir apparent.—So a man and a woman *joined* together according to God's ordinance, though they died before any outward human ceremony, would die just as much *husband* and *wife* in God's account, as if all the services which men ever invented had been red over them. This in every case—no prior engagement on the *man's side* was pleadable in bar of the *divine law*; its obligation affected all men alike, nothing could vacate or set it aside more with respect to *one* man than *another*. The words of the law, as hath been before shewn at large, do not authorize any exception, and where any is made, it is not God but *man* that makes

* The word *γαμος* signifies a *marriage-feast* in John ii. 1. So *γαμος*, Matt. xxii. 2, 3, 4. See *Tobit*. viii. 19. xi. 19.

it, but with no more authority than the *cup* is denied to the *Popish laity* in the LORD's *supper*—this wants scripture for its warrant, and so doth the other.—In short, human authority militates against the word of GOD—*The prophets prophesy falsely, (saith Jer. v. 31.) and the priests bear rule by their means—and the people love to have it so.*—No doubt, while they can gratify their passions without the least obligation to protect or provide for as their wives, the *virgins* they debauch, they will love the *superstition* which indulges them, and hate the *law* which restrains them—they will contend for the *rule* of *priests* in the affair of *marriage*, and believe that without their interference, there can be no *marriage allowed*, or *divorce forbidden*.

How this *superstition* should first arise in the Christian church, is very accountable from the propensity of the human mind towards inventions of its *own* in religious matters. The children of *Adam* are very apt to tread in the steps of their *first parents*, and to be *wise above what is commanded*. It flatters the pride of the heart, when some scheme of *seeming piety* is invented, which bids fair to set the *projector*, in his own opinion at least, above the level of more *scriptural professors*. We should never have heard of works of **supererogation*,

* We may observe, that the laws of GOD have been profaned and insulted two ways : 1. By *inventing works* which they have not commanded : 2. By *making sin* where they have made none. As for the trade of *sin-making*,

pererogation, if there were not a much higher gratification of human pride, and self-conceit, in thinking we do *over and above* what God hath commanded, than in walking by the plain written rule of God's word. We have but to read the histories of the *Popish saints*, and we shall find some uncommanded heights of mortification, bear a price beyond all the *scriptural* self-denial which is to be met with—an hair shirt—a girdle with iron spikes in it—macerating the body by austere fasting—or lacerating the flesh with whips and scourges—together with other uncommanded instances of the ἀσκησιὰ σωματός, which the *Apostle* mentions—Col. ii. 23.—will set a *Popish ascetic* into a state of spiritual pride little short of madness:—the cell—the cloyster—the abstaining from meats, which God hath created to be received with thanksgiving, of them which believe and know the truth (1 Tim. iii. 4.); but above all—*forbidding to marry* (ver. 3.) though rendering millions * of men and women useless in their generation,

making, it has been a very lucrative branch of commerce to the church of Rome, by increasing the demand for licences, indulgences, dispensations, &c. I am sorry to be obliged to confess, that our *Protestant church* is not quite clear of this traffic.—If a matter is *evil in itself*, what licence or dispensation can justify it? if it be *not evil*, what need of licence or dispensation? unless it be, that some are to gain by the credulity of others.

* *Monkery* was pretty well established in the time of *Constantine*, early in the fourth century. It began in the eastern countries, in *Egypt*, *Palestine*, and *Persia*, before it was introduced into the western parts of the Roman empire.

In

generation, and, as far as in them lies, destroyers of the human species, contrary to the *primary* decree of Heaven, Gen. i. 28. —all these are looked upon as the * heights of *purity* and religious *perfection*.

These things were foreseen and foretold by that *Spirit* which knoweth what is in man — see *Tim.* iv. 1, &c. —The *apostles* were scarcely cold in their graves, when these *seducing spirits, transforming themselves into angels of light*, began to work. One grand design of *Satan*, in all that he does, is the destruction of the *human race*; hence we may account for those plans of *celibacy* which make such a figure in the history of the *Christian church*. *Dr. William Cave*, a celebrated historian of *primitive Christianity*, in *cb.v.* tells us, that “ the *Christians* of † those times
“ were

In the fourth century, the numbers of *monks* and *nuns*, in *Egypt alone*, amounted to *ninety-six thousand*. See *Fortin's Remarks*, vol. ii. 165, 173.

* How far they proved so, may be seen in *Burnet's Hist. Reform.* vol. i. p. 191, 241—2. and in *Hist. of Popery*, vol. ii. p. 431, 432. —When visitors were appointed by Hen. VIII. to enquire into the *sanctity* of the *monasteries*—the above-mentioned authors have recorded the *black return* which was made. See also *Fuller's Church Hist.* lib. vi.

† “ The *fathers* began from early times to talk
“ weakly and injudiciously upon the subject of *marriage*,
“ and to cry up a single life above measure. Till,
“ about the time of *Constantine*, notions were entertained,
“ which afterwards helped to fill the world with
“ drones, mendicants, fanatics, and imaginary *dæmoniacs*,
“ not to mention other bad consequences.

“ *Ambrose*, in the fourth century, was a violent
“ stickler

“ were so far from breaking in upon unchaste
 “ embraces, that they frequently abstained
 “ even from *lawful* pleasures, and kept
 “ themselves even from the *honourable* and
 “ *undefiled* bed, never marrying all their life.
 “ We are, says *Octavius*, chaste in our speech,
 “ and chaste in our bodies, and very many of
 “ us, though we do not boast of it, do in-
 “ violably preserve a *perpetual virginity*; and
 “ are so far from any extravagant desires
 “ after incestuous mixtures, that many stand
 “ at a distance from the most chaste and mo-
 “ dest embraces. Thus *Justin Martyr* tells
 “ the emperors, that, among the *Christians*,
 “ there were a great many of either sex, who
 “ for sixty or seventy years had kept them-
 “ selves single and uncorrupt, and he wished
 “ that the like could be shewn in all * other

“ stickler for celibacy, and affirms, that *Alexandria*,
 “ *Afric*, and the *East*, where there was the greatest num-
 “ ber of *religious virgins*, were therefore more populous
 “ than other countries.” *Fortin*, vol. ii. 297, 298. A
 sentiment worthy *St. Patrick* himself! *Athanasius* also
 praised *virginity* very highly, and preferred it to *mar-*
riage, though he thought ’twas not forbidden. *Du Pin*,
Eccl. Hist. vol. ii. p. 47. Eng. trans.

“ In the fifth century, *Salvian*, and other celebrated
 “ writers, gave it as their opinion, that none were
 “ truly and perfectly holy, but those who *abstained from*
 “ *matrimony*.” *Mosh.* vol. i. p. 255. In the sixth cen-
 tury began the reign of intellectual darkness, which
 lasted for a *thousand* years, under the superstition and
 buffoonery of the church of *Rome*, till it began to be
 dispelled by the Protestant reformation in the sixteenth
 century.

* How gloriously would this have increased the *devil’s*
 triumph over that primary command—*Be fruitful and*
multiply, and replenish the earth!

“ sorts of men.” Here was a foundation laid for people in after times to combine themselves into distinct societies, to consider *marriage* as a less pure state than *celibacy*, and therefore to bind themselves under vows of *perpetual chastity*, as they called it. Indeed so early as the *second* century, there were a set of people who called *marriage* “a carnal thing, “ and unlawful for *Christians* under the gospel.”

Those zealots among the primitive *fathers* and *Christians*, who thought “ marriage for “ once allowable, yet held it in a *second* * in-

* The *Romans* held it dishonourable for a woman to marry twice; they judged it to be a criminal incontinence, and a tacit breach of the promises made in her first marriage. Hence *Virgil*, in those beautiful lines, makes *Dido*, the widow of *Sichæus*, say—

*Sed mihi vel tellus optem prius ima dehiscat,
Vel Pater omnipotens adigat me fulmine ad umbras,
Pallentes umbras Erebi, noctemque profundam,
Ante pudor quam te violo, & tua jura resolvo.
Ille meos, primus qui me sibi junxit, amores
Abstulit; ille habeat secum, servetque sepulchro.*

But first let yawning earth a passage rend,
And let me through the dark abyss descend;
First let avenging Jove, with flames from high,
Drive down this body to the nether sky,
Condemn'd with ghosts in endless night to lie;
Before I break the plighted faith I gave:
No; he who had my vows shall ever have,
For, whom I lov'd on earth, I worship in the grave.

DRYDEN.

When we compare this with 1 Cor. vii. 39. Heb. xiii. 4. and other passages in scripture. we shall find, that the notion about *second* marriages, resembled *Heathenism* more than *Christianity*.

“ stance *inexcusable*.” Dr. Cave, in a very commendable zeal for the *virtues* of these people, throws the best veil he can over their *follies*, and makes the best excuse he can invent for them.—“ Indeed it cannot be denied,” says he, “ but that many of the ancient fathers—*Tertullian, Cyprian, Hierom*, and others, did inveigh against *second marriages* with too much *bitterness* and *severity*, violently pressing many passages in scripture to serve the cause, *straining* the string many times till it *cracked* again, and not sticking to censure and condemn *second marriages* as little better than *adultery*. Hear what one of their *apologists* says to it:—Amongst us, every man remains as he was born, or engages himself in *one* only marriage; for as for *second marriages*, they are but a more plausible or decorous kind of *adultery*, our LORD assuring us, that *whosoever putteth away his wife, and taketh another, committeth adultery*:—which text, as also another of like importance, how perversely he interprets, and impertinently applies to his purpose, I am not willing to remember.”

However absurd such an interpretation of the above scripture may appear to us, because we are not involved in all the *superstition* of those days, yet it is not more so than interpreting the words as some of our more modern commentators do, to condemn *polygamy*.—*Putting away a wife by a bill of divorcement, and marrying another*, is at least as good a

phrase for putting a *dead* woman under ground, and marrying a *second*, as for *taking two wives together*, or for *keeping a living one*, and taking another to her.

St. Jerome (as he is called) who lived in the 4th, and in the beginning of the 5th century, actually wrote against *marriage*, and numbers it among those things which are *per se mala ac vitiosa*—"evil and vicious in themselves."—See Beza on 1 Cor. vii. 1. No wonder that this *four monk* of *Palestine* should inveigh so bitterly as he did against *second marriages* of all sorts.

It has been remarked, that of all the praisers of *virginity*, JEROME seems to have performed his part the best; who calls *Eustochium* the *nun* his *lady*, because she was the *spouse* of his *Lord*, and reminds the mother of this lady, that she had the honour to be God's *mother-in-law*—*Socrus Dei*. Fortin, Rem. on Eccl. Hist. vol. ii. p. 170.

Some of Jerome's interpretations of scripture are too curious to be omitted—He says, that the *clean animals* in Noah's ark, signified *virgins*; and the *unclean*, those who *married*. He calls *virgins*—*the vessels made unto honour*—and the *married*—*the vessels made unto dishonour* (see Rom. ix. 21.); he expounds the *fruit* which encreased an *hundred-fold* (see Mark iv. 20.) of *virgins*—the *sixty-fold*, of *widows*—the *thirty-fold*, of the *married*—excluding every where those who have *married more than once*; of whom he says—*Certe in bona terra non oriuntur, sed in vepribus & spinis voluptatum*

voluptatum—"they certainly do not spring up
 "in good ground, but among the *briars* and
 "thorns of pleasures." GLASSIUS."

Ambrose, Prefect and afterwards bishop of *Milan*, who also lived in the 4th century, was a violent declaimer in favour of *virginity*, and, in a treatise on that subject, he exhorts "girls to enter into *nunneries*, though against "the will of their parents." *Jortin*, ib. 176.

The progress of *superstition* in this 4th century, and the erroneous notions which prevailed, excited the zeal of many to stem the torrent. The most eminent of these worthy opposers was *Jovinian*, an Italian monk; who, towards the conclusion of this century, taught first at *Rome*, and then at *Milan*, that "those who passed their days in "unsociable celibacy, were not more acceptable in the eyes of God, than those "who lived virtuously in the bonds of marriage." These and other judicious opinions, which many began to adopt, were first condemned by the church of *Rome*, and afterwards by *Ambrose*, in a council held at *Milan*, anno 390. The emperor *Honorius* seconded these authoritative proceedings by the violence of the secular arm—answered the judicious reasonings of *Jovinian* by the terror of coercive and penal laws—and banished this pretended *heretic* to the island *Boa*. *Jovinian* published his opinions in a book, against which *Jerome*, in the following century, wrote a most bitter and abusive

treatise, which is still extant. See *Mosheim*, Edit. *MacLaine*, vol. i. 203, 204.

In the beginning of the 5th century arose *Vigilantius*, a man remarkable for his learning and eloquence, who was born in *Gaul*, and went from thence into *Spain*, where he performed the functions of a *presbyter*. This man, honouring God's word above the *traditions* and *superstitions* of those times, boldly stepped forth, and bore his testimony against the opinions and manners of the reigning demagogues, and especially on the subjects of *celibacy* and *marriage*, together with the ridiculous austerities of a *monastic life*. There were, among the *Gallic* and *Spanish* bishops, several that sided with *Vigilantius*; but *Jerome*, the great monk of the age, assailed this bold reformer with such bitterness and fury, that nothing but his silence could preserve his *life*, from the intemperate rage of *bigotry* and *superstition*. And the name of good *Vigilantius* remains still in the *list of heretics*; which is acknowledged to be authentic by those, who without any regard to their own judgment, or the declarations of scripture, followed blindly the *decisions of antiquity*. See *Mosheim*, vol. i. 255, 256.

Jerome's Epistle against *Vigilantius* is a curiosity in its kind, and may be found in the *collection* printed at *Tournay*, duodecimo, p. 601. He sets out with observing how many "*monsters* have appeared in the world, "*such as Centaurs, Syrens, Cerberus, the*
Chimera,

“ *Chimera, Geryon, &c.*” At last *Vigilantius* is introduced as one of the greatest *monsters* of all, “ who,” he tells us, “ with an
 “ unclean spirit fights against the Spirit of
 “ CHRIST; for that he calls continency,
 “ heresy—and *chastity*, the seminary of lust.”
 —In short, the poor man had written on the
 behalf of marriage, and plainly saw what
 must be the end of the pretended schemes of
chastity, which the *monks* had espoused. But
Jerome proceeds — “ *Proh nefas ! Episcopos*
 “ *sui sceleris dicitur habere consortes, si ta-*
 “ *men Episcopi nominandi sunt, qui non*
 “ *ordinant Diaconos, nisi prius uxores dux-*
 “ *erint, nulli cælibi credentes pudicitiam,*
 “ *& nisi prægnautes viderint uxores clerico-*
 “ *rum, infantesque de ulnis matrum vagi-*
 “ *entes, CHRISTI sacramenta non tribuunt.*
 “ *Quid facient orientis ecclesiæ ? Quid*
 “ *Ægypti & sedis apostolicæ, quæ, aut vir-*
 “ *gines clericos accipiunt, aut continentes,*
 “ *aut, si uxores habuerint mariti esse desist-*
 “ *unt ? Hoc docuit Dormitantiæ libidini*
 “ *fræna permittens, & naturalem carnis ar-*
 “ *dorem, qui in adolescentia plerumque fer-*
 “ *vescit, suis hortatibus duplicans, immo*
 “ *extinguens coitu scæminarum : ut nihil sit*
 “ *quo distemus a porcis, quo differamus a*
 “ *brutis animantibus, quo ab equis de qui-*
 “ *bus scriptum est—Equi insanientes in femi-*
 “ *nas facti sunt mihi : unusquisque in uxorem*
 “ *proximi sui hinniebat. Jer. v. 8. Hoc est*
 “ *quod loquitur per David Spiritus Sanctus*
 “ —*Nolite fieri sicut equus & mulus quibus non*

“ *est intellectus & rursum de Dormitatio &*
 “ *fociis ejus—In chamo & freno maxillas*
 “ *eorum constringe, qui non approximant*
 “ *ad te.*”—“ O abominable shame ! he (*Vig-*
 “ *ilantius*) is said to have *bishops* partners of
 “ his wickedness, if such are to be called
 “ *bishops*, who do not ordain *deacons* unless
 “ they first be *married*—believing there is no
 “ chastity in a *single man* ; and unless they
 “ see the wives of the clergy pregnant, and
 “ infants crying in the arms of their mo-
 “ thers, they do not commit to them the
 “ power of administering the *sacraments* of
 “ CHRIST.

“ What must the *Eastern* churches do ?
 “ What those of *Ægypt* and of the *apostolical*
 “ *see*—(i. e. *Rome*)—who receive *clergy* that
 “ are *virgins*, or continent, or who, if they
 “ have *wives*, cease from being husbands ?

“ Thus taught *Dormitanti*us” (N. B.—a
 “ *filly pun* on the name of *Vigilanti*us) “ giving
 “ the reins to licentiousness ; and doubling,
 “ by his exhortations, the natural ardor of
 “ the flesh, which usually grows warm in
 “ youth, yea, even extinguishing it by in-
 “ tercourse with women. So that there
 “ may be nothing in which we should be
 “ distinguished from *swine*, or in which we
 “ should differ from *brute beasts*, and even the
 “ *horses*—concerning which it is written—
 “ *Raging for women, they are become to me as*
 “ *horses ; every one neighed after his neigh-*
 “ *bour's wife.* Jer. v. 8. This is what the
 “ HOLY SPIRIT speaks by DAVID—*Be ye*

“ not like to horse or mule, which have no understanding—and again, concerning *Darmitantius* and his fellows—*Constrain their jaw-bones with a bit and a bridle, lest they approach unto thee.*” Ps. xxxii. 9.

The reader has here a sample of the spirit of those times with regard to *marriage*, particularly of the *clergy*; likewise of the candour, fairness, and good manners, with which those were treated, who dared, like *Vigilantius*, to step forth in the cause of *scripture*, *common sense*, and *truth*, against *superstition*, *folly*, and *error*; also of the ridiculous *abuse* and *perversion* of *scripture*, in order to maintain the reigning *superstition*. Lastly, we may observe, in what *Jerome* says, about “ the *bishops* refusing to ordain *deacons* unless “ *their wives were with child*,” &c. that a little *lying* and *scandal* was esteemed of singular use. See *before*, vol. i. p. 285. n.

It should seem that the severity with regard to *second* marriages was afterwards relaxed, as to the *laity* at least; but a *third* was prohibited by several councils; and the emperor *Leo*, in the 9th century, published an edict, subjecting those who married *thrice*, to the penalties which had been decreed against them by the *antient councils*. However, this emperor was fairly caught in his own *snare*; for when he wanted to revoke that edict in his own case, the *clergy* would not suffer it.

The emperor *Leo*, who reigned at *Constantinople*, married *four* times, for which the then Patriarch excommunicated him. He begged

begged to be restored, but in vain; upon which he deposed *Nicolaus Mysticus*, who had excommunicated him, from the *patriarchate*, confined him to a monastery, and placed one *Entbymius Syncellus* in his room. This occasioned a schism in the church, some of the *clergy* siding with *Nicolaus*, some with *Entbymius*. Though *Entbymius* restored *Leo* to the communion of the faithful, yet he resolutely opposed him, when, by the advice of the senate, he was about to publish an edict, declaring it *lawful* to marry a *fourth* time. Nor would the *clergy* suffer the *emperor* to revoke his *former edict* against those who married *thrice*. See *Ant. Univ. Hist.* vol. xvii. p. 79. See a full account of this matter in *Du Pin*, *Eccl. Hist. Eng. Transf.* vol. iii. p. 1, 2.

By all this we may learn, how early the *mystery of iniquity* began to work, in a combination of *church and state*, against the prerogative of *Heaven*, with respect to *marriage*, by men taking upon themselves to decide upon the *lawfulness* or *unlawfulness* of marriages, either independently on the scriptures, or in total opposition to them; likewise to misinterpret and misapply them to justify their proceedings.

But to return to the primitive *Christians*. Had these people attended properly to the scriptures, instead of the workings of their own imaginations, they would not have been led into a disparagement of *marriage*, either when entered into in *one* or *more* instances. As to *marriage* itself, it was instituted when
man

man stood in the *likeness and image of God*, in a state of much higher *purity and holiness* than any can now know on *this side heaven*; therefore it must have been in all respects consistent with *such* a state. One of the *two* persons recorded in scripture to have been *translated into heaven, that he should not see death* (Heb. xi. 5.) was a *married* man; nor did he keep himself “from the *honourable* “and *undefiled* bed;” for it is said, Gen. v. 22. *And ENOCH walked with God, after he begat Methusaleh, 300 years, and begat sons and daughters.*

As to *second* marriages, the calling them “*adultery and whoredom*,” was a monstrous *superstition*, amounting to a denial of the scriptures, which absolutely allowed them as *lawful and good*, even on the *woman's side*. Thus *Paul*, in allusion to the law of *Moses*, Rom. vii. 3. *So then if while her husband liveth she be married to another man, she shall be called an adulteress; but if her husband be dead, she is free from that law, so that she is no adulteress, though she be married to another man.* And again—*The wife is bound by the law as long as her husband liveth; but if her husband be dead, she is at liberty to be married to whom she will, &c.* 2 Cor. vi. 14. Comp. 1 Tim. v. 14.

So that we see what little dependence is to be placed on *primitive fathers* and *Christians*, or indeed on any thing else but the written word of God itself—compared with itself—explained by itself. The truth we come at
by

by these means is sure and stedfast, and may safely be relied upon, though all the world should agree to think otherwise.

Dr. *Cave*, who, as was observed, has endeavoured to soften the * absurdities of these good folks as much as possible, says, p. 90. " Though the fathers and antient councils
" were thus severe in this case (of *second*
" marriages) yet the rigour of their censure

* Dr. Jortin, Remarks on Ecclesiastical History, vol. iv. p. 376, says, that—" our *Cave* may be called, the *white-washer of the ancients*."—See before p. 122. If Dr. *Cave* had concealed their follies and weaknesses, he would have saved himself and his readers a good deal of trouble, which might have been more profitably employed, than in framing excuses for absurdities, which had better be forgotten, as meriting *oblivion* rather than *apology*.

The farther we search, the more will the number of their absurdities increase upon us : witness some of the fathers and moralists, mentioned by *Athanasius Vincentius*, in his Notes on *Theoph. Aletheus*; who held, that, " *Scortatio cum propria uxore committi potest, cum non liberorum quærendorum causâ, sed ad explendam libidinem, vel cum pregnante aut lactante res habetur.*" " That a man may be said to commit *whoredom* with his own wife, when he hath intercourse with her, not for the sake of having children, but to satisfy his desires, or when she is with child, or gives suck." If this be the case, how is marriage any remedy against fornication? and what becomes of the apostle's—*If they cannot contain, let them marry; for it is better to marry than to burn?* 1 Cor. vii. 9. How can a man burn the less for having a wife, if he is to have no access to her for many months together, or indeed, on such principles, *not at all*, after she has done breeding? Yet such was the wisdom of *Ambrose*, *Jerome*, *Origen*, and others, who, in such instances, by becoming wiser and holier than the scriptures, were the instruments of *Satan*, to ensnare the consciences of those who had folly enough to believe what they said. Comp. 1 Cor. vii. 5.

" will

“ will be much abated, if what some tell us
 “ be true, that *many* of their passages are not
 “ levelled against *successive* marriages, but
 “ against having *two wives at the same time*;
 “ for, as a learned man has observed, there
 “ were *three* sorts of *digamy*: 1. A man’s
 “ having two wives at once: 2. When, the
 “ former wife being dead, he married a *se-*
 “ *cond* time: 3. When a man on slight cause
 “ put away his wife by a bill of divorce,
 “ and married another.”—With regard to
 this *last*, it certainly could not be inveighed
 against too severely; for it is contrary to the
 very institution of marriage, that a man *should*
put away his wife for any cause, except for for-
nication; as CHRIST proves to the *multitudes*,
 Matt. v. 32. and to the *Pharisees*, Matt. xix.
 4, 5, 6.

As to the two first, namely, “ a man’s
 “ having two wives at once, and a man’s
 “ marrying a *second* after the death of his
 “ *first*,” however Dr. *Cave*, or any other of
 their *apologists* may endeavour to “ abate the
 “ asperity of their censures,” they *both* were
 esteemed by the antient *Christians* and *primi-*
tive fathers equally * unlawful; which is
 not

* *Athenagoras*, in the second century, in an apology
 for the *Christians*, which he presented to the Emperor
M. Antoninus, asserts—“ that the devils were ruined by the
 “ love that they bare unto women—commends virginity,
 “ and condemneth *second marriages*, calling them—an
 “ *honest adultery*.” See *Du Pin*, vol. i. p. 56. English
 Transl.

In the *Neocæsariensian* council, anno 314, it was de-
 creed.

not to be wondered at, when *marriage* itself was so much spoken against, as a state of *less* * purity and perfection than *celibacy*, consequently the *more* and the *oftener* a man engaged in *marriage*, the more *impure* he must be. But the truth is, that there is no impurity whatsoever in *marriage*, though *often* or but *once* entered into. *Abraham*, who had *more wives than one at a time*, is not recorded as *less* pure than *Isaac*, who appears to have had but *one*; nor is *Isaac* said to be *more* pure than his son *Jacob*, who had *four*; we read of them all in an equal state of *glory in the kingdom of heaven*, Matt. viii. 11. but of no reproof on God's part, or sorrow or repentance on their part, on account of their different *situations while on earth*.

The *superstition* of its being sinful to have *two wives* in *succession*, remained a great while

creed—" *Presbyterum convivio secundarum nuptiarum interesse non debere.*" "That a *presbyter* ought not to be present at a feast of *second nuptials*." The *canonists* said, that "an *iteration* of *marriage* was contrary to all honesty; or, if it could be admitted into the number of *honest things*, it must be called *honest whoredom*. Some said, that though it might be lawful, according to *St. Paul*, yet it was *fere fornicatio*—*almost fornication*."

* This notion, and all its pretensions to *purity*, was no better than *Heathenism*; for among the *Romans*, "when the bride was brought home to her husband's house, she was not to touch the *threshold*, but was lifted over it by main strength, because the *threshold*, being sacred to *Vesta*, a most *chaste* goddess, ought not to be defiled by one in *such* circumstances." Broughton, Hist. Lib. vol. ii. 179.

in

in the church ; however the Protestant reformation helped us to the *stat.* of Edw. VI. (see before vol. i. p. 199) which dissipated men's fears upon that subject; but with respect to having *two wives at a time*, we are still taught to look upon it in as horrible a light, as the primitive *Christians* did on having a *second* after the death of the *first*. This *superstition* has been so uniformly and successfully kept alive, that the reprobation of *polygamy* in the *Christian* church (our western part of it at least) is as *universal*, as the belief of *transubstantiation* or *purgatory* was before the Protestant reformation. In short, the *superstition* is inveterate, we may almost be said to suck it in with our mother's milk; it fastens upon us in our very infancy, it grows up with us—we know not how to get rid of it, nor ever shall, till, as at the above glorious period, men will dare to search, think, and judge for themselves, and thus emancipate their understandings from the slavery of *vulgar* * prejudice and *popular* opinion.

The

* In Mr. Coxe's *Sketches of Switzerland*—an entertaining, instructive, and sensible performance, lately published—he speaks of the Abbey of *Einsiedlin*, in the canton of *Schweitz*, and adds—“ The ridiculous tales they tell of the origin and aggrandizement of this abbey, are so many melancholy instances of the credulity of the darker ages. That they are still believed in the present *enlightened* century, must be attributed to the force of habitual prejudice; and at the same time proves, how difficult it is for the human mind to shake off those superstitious errors, which

The Statute de Bigamis, 4 Edw. I. c. 5.
ousted a man of his clergy, if he had been

“ which it has early imbibed under the sanctified name
“ of religion.” P. 75, 76.

Another instance mentioned of the force of custom
and prejudice over the human mind is to be found
p. 488.

“ At *Basil* the clocks go an *hour* faster than those of
“ the rest of *Europe*. Several reasons are assigned for
“ this; one is, that the *sun-dial* on the outside of the
“ *cathedral*, by which the *town-clock* is regulated, de-
“ clines somewhat, as the *bui ding* does, from the east,
“ which occasions a variation from the true time.

“ A motion has often been made, in the sovereign
“ council, to have the town-clock regulated properly,
“ but constantly rejected. The people would think
“ their liberties invaded, if such regulation was made.

“ A few years ago, it was secretly agreed by some
“ leading men in the town, to have the dial turned
“ half a minute each day, till the shadow should im-
“ perceptibly point to the true hour. This expedient
“ was accordingly put in practice, and the town-clock
“ had already lost *three quarters of an hour*; when an
“ accident discovered the plot, and the magistrates were
“ compelled to place the dial in the place in which it
“ stood before, and to have the town-clock regulated
“ by it as usual. Indeed long-established customs,
“ however indifferent or ridiculous, are apt to lay so
“ strong an hold on vulgar minds, as to become some-
“ times dangerous, always difficult to be altered;—I
“ need not remind you how long it was before we could
“ be persuaded in *England* to reckon our years accord-
“ ing to the general mode of computation received by
“ the rest of *Europe*.”

Thus far Mr. *Coxe*—to whose last observation, I can-
not forbear adding an anecdote of a certain pious old
woman, who could not be persuaded, but that “ all our
“ national troubles and misfortunes, which have be-
“ fallen us since the year 1751, have been so many
“ judgments upon us for striking *eleven days* out of the
“ *kalendar*, and, by this means, having *fewer Sundays*
“ than we had before.”

twice

twice married—the 1 Jac. c. 11. would hang a man that has *two wives*, but for the benefit of clergy; and no doubt these laws have, in their several days, served to strengthen the cause of *superstition*, by annexing public *infamy*, as well as *punishment*, to the supposed crimes of *bigamy* and *polygamy*. With regard to *adultery*, or with respect to the seduction and debauchery of *virgins*, and then abandoning them, the *adulterer* or *seducer* may be found in what is called the *best companies*; be treated with civility, and even respect; while the *polygamist* is arrested for *felony*—sent to prison—tried before a court of criminal judicature—rendered infamous for life, and, thanks to the benefit of the clergy, that he is not dragged to a *gibbet*, and put to death!

The foundation of all this is, the *wisdom* of man exalting itself against the *wisdom* of God; hence it is that men devise laws which are contrary to the law of God; and the opposition which *superstition* has taught us to make to *nature*, *reason*, and *scripture*, obtains the * sanction of vulgar opinion on the side

* “All men are full of themselves and their own principles: and the *Nazarenes* of the *West* are so brimming with them, that there is no room left for instruction of amendment. Like the *Chineses*, they boast of their own science and wisdom, reputing all the rest of the world *ignorant* and *blind*.”

“They are so narrow in their *tenets*, so *dogmatical* in their *decisions*, and so *conceited* of all, that it is difficult for a man, who has conversed in a freer air, to frame himself to their rules.” *Turkish Spy*, vol. iv. p. 125.

of falshood and error. That *superstition* should lead men to reject the law of GOD, to *make void the commandments of GOD, through their traditions*, under a notion of greater *sanctity*, is not at all surprizing, when the *pride* and *ignorance* of the human heart are duly considered. The instances which are recorded of it, concerning the *Pharisees* of old time, are written for our instruction and admonition : the severity with which CHRIST treated them on this account, ought to stand as a warning to us, lest we also *come into the same condemnation*.

Among the various instances which we find of this in the New Testament, there is not a more striking one, nor one more illustrative of what I have been saying, than that which appears Mark vii. 9—14. where our LORD convicts the *Pharisees* of a rejection of the *fifth* commandment, in favour of a *superstition* of their own, which, though it had a better foundation than most of their *traditions*, with respect to the *act* itself (see 2 Kings xii. 9.) yet, as they abused it, it became a direct contrariety to the exprefs and positive law of GOD. CHRIST tells them in plain terms as much, ver. 9. *Full well do ye reject the commandment of GOD, that you may keep your own traditions*. When *Jehoiada* the *high-priest* ordered a chest to receive the money, through *an hole in the lid*, which the people gave towards the repairs of the temple, he did *well*—and those who gave of their substance for this purpose did also *well*;—but when in af-
ter

ter time these *gifts* were preferred before the relief of a *sick, necessitous, and aged parent*, whom the *fifth* commandment enjoined them to *honour*—with their substance doubtless, as well as in all other respects—then they did ill, by preferring the observance of an *human tradition*, before the express injunction of the *divine law*.

To appoint an *outward* means of recognizing a *marriage*, and not leave people to take *one another's words* (as the saying is) is very proper, and, in this mixed state of things, *necessary* for the *good of the whole*; but to put the ceremony in the place of God's *institution*—to declare a marriage *null and void* without it, to *all intents and purposes whatsoever*—to set the parties free from the obligation which they are under towards God and *each other* by the divine command—is as direct a breach of the command of God in this respect, as the *Pharisees* were guilty of in the *other*, and our Lord's reproof of the *Pharisees* equally belongs to *us*—we certainly *make void the law of God through our traditions, and teach for doctrines the commandments of men*.

There is no avoiding *superstition*, neither is there any deliverance from being led by it into thinking we do the *will of God*, when we are only doing the *will of man*, and that in contrariety to the *divine will*, while, like those of old, our *fear towards God is taught us by the precepts of men*. II. xxix. 13. and while, like *dead fish* with the stream, we are

carried down with the tide of vulgar error and popular opinion.—*Ye do err, not knowing the scripture.*—*Search the scriptures*—was the advice of Him *who spake as never man spake*. When we are wise enough to follow this counsel, worldly systems and human inventions may, and will suffer in our opinion, and we may be led to grieve at the folly and *superstition* which are to be found in them; but we shall be overpaid for any uneasiness of this sort, by the pleasure we must receive, in beholding the beauty, harmony, and order that are to be found in the word of God. We shall then see, that the misery and destruction of so many of our defenceless fellow-creatures, in the points before complained of, are owing to the rejection of that *divine* system of *justice, mercy, and truth*, which, if observed in all its parts, has so wisely and amply provided for their *protection and preservation*.

As *superstition* blinds the *conscience*, and misleads the *judgment*, so it *hardens the heart*, and renders it unimpressible by the calls of pity and compassion—*cruelty* will triumph over *mercy*, and the most horrid *barbarities* pass for the fruits of *heavenly zeal*—*The time cometh, when whosoever killeth you will think that he doeth GOD service.* John xvi. 2.

Tantum religio potuit suadere malorum!

VIRG.

Such dreadful ills from SUPERSTITION spring!

The

The history of *Popery* furnishes us with numberless examples of this : let the reader take the following from Dr. *Gedde's* Tracts, vol. i. p. 412, 413 ; where, speaking of the execution of *heretics* at an *auto de fe* in *Portugal*, he describes the *delight* with which the crowd of spectators behold the torments which are administered on the occasion to the poor sufferers, and then adds—" That the
 " reader may not think, that this inhuman
 " joy may be the effect of a natural cruelty,
 " that is in those people's disposition, and
 " not of the spirit of their religion, he may
 " rest assured that all public malefactors, be-
 " sides *heretics*, have their violent deaths no
 " where more tenderly lamented than among
 " the same people, and even when there is
 " nothing in their deaths that appears in-
 " human or cruel."

By the way, what a state of infatuation must we be in, to open the door again for the admission of *Popery* into this country, by repealing any part of those salutary laws which were made for its exclusion ! One should think that this country had suffered enough from the *spirit* and *temper* above described, to make us dread every step which can lead to their re-admission. To suppose, what many profess to believe, that *Popery* is not *now* just what it was in *Queen Mary's* days, is to suppose that *Popery* is not *Popery* ; which is an absurdity as great as to *imagine* that a *thing* is not *itself*.—But I should ask the reader's pardon for digressing from the
 subject "

main point before us ; which I trust I shall easily obtain, when he considers how naturally a writer on *superstition* is led to the mention of *Popery*, which is no other than a *confluence* of every species of it.

As for the *Popish laity*, the scriptures are taken out of their hands, and they are left at the mercy of their *priests* (who are generally as ignorant * as themselves) for the interpretation of their *creed* ; this chiefly consists in *human tradition*, and detached parts of the scripture, explained or translated as the *church* pleases, and made to prove *any thing*, or *every thing*, or *nothing*, as may best serve the purposes of *superstition* and *priestcraft*, and maintain their absolute dominion over the *understandings* and *consciences* of mankind. The *Protestant church of England* has distinguished herself for her moderation, arrogating to herself no absolute dominion in *matters of faith* over the *consciences* of her children. She withholds no part of the scripture either from their *eyes* or *ears*—puts the *Bible* into their hands, that they may search for themselves, and orders her *ministers* daily to read portions of it to the people, that those who cannot *read*, may *hear* the things of God, and *judge* for themselves. She tells us plainly in her *Articles*, that, “ Holy scripture containeth all things necessary to salvation, so that whatsoever is not red therein, nor may be proved thereby, is not to be re-

* See before p. 99 n.

“ quired of any man that it should be be-
 “ lieved as an article of faith, or be thought
 “ requisite or necessary to salvation.” *Art. 6.*
 —And again, *Art. 20.* “ The church hath
 “ authority to decree rites and ceremonies,
 “ and authority in matters of faith ; and yet
 “ it is not lawful for the church to ordain
 “ any thing that is contrary to God’s word
 “ written, neither may it so expound one
 “ place of scripture that it be repugnant to
 “ another. Wherefore, though the church
 “ be a witness and keeper of holy writ, yet,
 “ as it ought not to decree any thing against
 “ the same, so, besides the same, ought it
 “ not to inforce any thing to be believed for
 “ necessity of salvation.”

A more unreserved *caveat* against *supersti-*
tion cannot easily be penned, nor is it in the
 power of language to form a more ample
 licence for *free-enquiry* ; if therefore what
 has been said in the foregoing pages, should
 be a means of obviating the *first*, and this by
 promoting the *other*, I shall think myself
 well paid for the pains I have taken.

As to the *superstition* of imagining that a
church-service makes the *marriage*, and that
 without it no *marriage* is valid or binding, or
lawful before God, it is as unscriptural and
 absurd, as it is mischievous and ruinous to
 the *weaker sex*. There is not the least trace
 of such a thing either in the *Old* or *New Tes-*
taments ; marriage, with respect to itself, and
 as between the parties, stood entirely upon
 the simple institution of God, before *priests*

or *servicc-books* existed ; therefore nothing can be of the *essence* of it, but what God * appointed

* The institution of marriage may be found in those words, Gen. i. 28. *Be fruitful and multiply, and replenish the earth.* But that which constitutes it, as to the matter of it, in GOD's sight, is his own ordinance delivered by Adam, Gen. ii. 24. דבֿק באשתו והיו לבשר אחד—*Et adhærebit in uxore sua, & erunt in carnem unam.* Mont.

Our translation—*A man, &c. shall cleave to his wife*—does not convey the idea of the Hebrew דבֿק באשתו—this is literally—*shall be joined or cemented* (προσκολληθῆσθαι, LXX.) *in his woman—and they shall become* (i. e. by this union) *one flesh.* This is the one, simple, divine ordinance, and the obligation resulting from it is *indissoluble* ; wherefore, saith CHRIST—*what GOD hath joined together, let not man put asunder.* The same thing is expressed in other words, Deut. xxii. 29.—*She shall be his woman, or wife, as we call it, (la femme, Fr.) BECAUSE he has HUMBLED HER—he may not put her away all his days.* Human laws or ceremonies can have no more effect on this, than upon the rising of the sun, or the flowing of the tide : these are not more fixed and unalterable than the other.

The more I have *searched* the scripture, and examined this point, the more fully am I convinced, even to demonstration itself, that as GOD never appointed any other thing as the *matter* of baptism but *water*, poured or sprinkled on the body, in the name of the HOLY TRINITY (for I do not mean to enter into the disputes about the meaning of βαπτίζω) so he never appointed any thing as the *matter* of that union by which the man and woman become *one flesh*, but the דבֿק באשתו—or, as our canon law phrases it, *carnal knowledge* ; the very essence of which is expressed in the *Hebrew*, though perhaps our translators thought it more *decent* to render it as they have done, without giving the ב its literal and usual import. The προσκολληθῆσθαι πρὸς τὴν γυναῖκα of the LXX, and the προσκολληθῆσθαι τῇ γυναικὶ of Matt. xix. 5. taken in connection with the κολλημενος of Paul, 1 Cor. vi. 16. (as has been before observed) amount to the same meaning, carry the same idea, if compared and interpreted

appointed at the beginning. When, therefore, it is said—*Isaac brought her into his mother's tent, and took Rebekah, and she became his wife* (Gen. xxiv. 67.) and when *Laban took Leah his daughter, and brought her to Jacob, and he went in unto her*—and when *Laban gave him Rachel his daughter to wife also, and he went in also unto Rachel*—these women severally became the absolute unalienable property of their husbands, they became *one flesh* with them, and what God had thus *joined together, no man could put asunder*. Thus the matter stood on the simple ordinance of God, and thus, as in God's sight, it must stand for ever. The *Jews*, and all other *nations*, have ever looked upon

interpreted by the *Hebrew* original. To this, we may also add that passage of Eph. v. 31, 32. where the *apostle* introduces no circumstance of *human ceremony* (ver. 31.) in order to perfect the *marriage-union*, or to render it a complete emblem of the *great mystery* which he speaks of (ver. 32.)

As for betrothment, espousals, the payment of the *מָהַר* or dower, these were circumstantial, and right and proper, as far as outward order and decency were concerned, but these were not the *matter* of the marriage; for, not only as in the case of our *first parents*, but in many other instances in the scripture, *marriage was where these were not*.

Therefore to declare “a marriage (though consummated by *carnal knowledge*) *ipso facto* null and void to all intents and purposes whatsoever,” where some outward rite or ceremony of mere human invention is wanting, however it may operate in a *civil* view, can be of no effect in God's sight; otherwise the *matter* of the ordinance doth not consist in God's appointment, but men's inventions.

marriage

marriage as an occasion of festivity and rejoicing, and various rites and ceremonies have been invented upon the occasion; so there have been with respect to *baptism* and the LORD's *supper*: but these, like all other ordinances of GOD, stand just where they did, and owe their whole *importance* and *validity* to GOD's appointment, and are neither *added* to nor *diminished* in these respects by any rites or ceremonies which men have invented—to say otherwise is rank *superstition*.

Whether the primitive *Christians* had their marriages with each other solemnized by a *minister* of the church, is a disputed point among learned men. Mr. *Selden*, in his *Ux. Heb.* l. ii. c. 29. says—“ it was *sometimes* “ so done, at the desire of the contracting “ parties, but they were under * no obligation by law so to do, nor did any general “ custom prevail, so as to make it a general

* In an epistle, supposed to be written by *St. Ignatius* to his disciple *St. Polycarp*—the writer informs the *Christians*, that, “ their marriage, when performed according to the *will of GOD*, ought to be solemnized “ in the presence of the bishop.”

But it is much to be doubted, whether this epistle be genuine; and if it be genuine, where is any such “ *will of GOD* ” in the matter, to be found in scripture? The above-mentioned epistle of *Ignatius* to *Polycarp* stands on much the same footing, as to the evidence of its genuineness, with that of *Ignatius* to the *Ephesians*, wherein he affirms, that “ the *devil* was ignorant of the virginity of *Mary*— “ of her child-birth—and of the death of our LORD.”—Such horrid stuff as this, is enough to shake the credit of the whole. See *Du Pin*, vol. i. p. 43.

“ practice.”

“ practice.”—However, whether this was so or not, signifies not a rush, as there is nothing in the word of God to warrant it.

Archdeacon *Reynolds*, in his *Historical Essay on the Government of the Church of England*, helps us to find out how this custom came into the *western churches*, p. 70. “ Contracts
“ of *marriage*, with all its incidents, were
“ long considered as rights of *secular concern*,
“ and in the tenth century the laws of the
“ empire allowed the *validity of marriages*
“ which were made without *sacerdotal bene-*
“ *diction*, or the intervention of the *offices of*
“ *the church*. But in the twelfth century
“ *Peter Lombard* discovered the institution
“ of *seven sacraments* in the mystical expres-
“ sion of the *seven spirits of God*, which he
“ understood as an assurance of the *seven-fold*
“ *operation of the Spirit in baptism—the sup-*
“ *per of the LORD—confirmation—penance—*
“ *orders—matrimony—and extreme unction* ;
“ and the church of *Rome* soon countenan-
“ ced his doctrine. This brought *marriage*,
“ which was originally of *civil jurisdiction*,
“ under *spiritual cognizance*.” A little higher,
the learned author observes—“ The key to
“ the contradictory provisions about mar-
“ riage, was, that the court of *Rome* was de-
“ sirous to have the scales of domestic peace
“ in the *Pope's* hand, that the *legitimacy* of
“ children, and the succession of families,
“ should depend upon his favour, that *his*
“ *holiness* might separate whom no man
“ ought to put asunder, or perpetuate con-
“ junctions

“junctions which reason and religion forbid.”

This was opposed by the *Albigenses**, those early reformers, who taught, that “the consent of a willing couple, without the formality of sacerdotal benediction, made a lawful marriage.”—This was the doctrine which they taught in the territory of the Count of Thoulouse, and propagated here about 1175.

The *Lollards*† afterwards declaimed against
celibacy,

* The *Albigenses* were a sect or party of reformers, about Thoulouse and Albigeois in Languedoc, in the twelfth century, who distinguished themselves by their opposition to the discipline and ceremonies of the church of Rome. This drew down all manner of persecution and reproach;—the *Papists* charged them with heresy, and loaded them with all the calumnies that the most vindictive malice could invent—at last the storm fell so heavily upon them, that it ended in their destruction. See Brough. Hist. Lib. tit. *Albigenses*.

† The *Lollards* (of which appellation many definitions are given, See Mosheim, vol. i. p. 744. note u, edit. Macl.) who arose in the fourteenth century, were charged with “preaching openly many heresies, blasphemies, and scandalous defamings, quite contrary to the sacred canons and decrees of the holy fathers,” and were persecuted accordingly.—Pope Boniface IX. in his Bull against them (see Fox, vol. i. 574.) did not deign to call them men, but—“withered—carnal—damnable shadows and ghosts of men.” Their crime was, that they were zealous for the word of God, and opposed the lyes and superstitions of the day—among other things, the incroachments of the Pope with regard to marriage.

That this was one ground of enmity and persecution against these poor people, may appear from the following record—“May 2, 1511. Six men and four women appeared before Archbishop Warham, in his manor of
“Knoll,

celibacy, the use of the *seven sacraments*, and laid it down as *sound doctrine*, that “ if a man
 “ and woman came together with an inten-
 “ tion to live in *wedlock*, this intention is suf-
 “ ficient, without passing through the forms
 “ of the church.”—This certainly was *sound doctrine*, because agreeable to the word of God; where no other ceremony appears to have intervened, in order to constitute a lawful marriage before God.

Mr. *Jacob*, in his *Law Dictionary*, tit. *Marriage*, observes, that “ before the time of
 “ Pope *Innocent III.* there was no *solemniza-*
 “ *tion* of marriage in the church; but the
 “ man came to the house where the woman
 “ inhabited, and led her home to his own
 “ house; which was all the ceremony then
 “ used.” See *Lilly Abr.* tit. *Bar. and Femme*, p. 225. *Moor* 170.

The learned and accurate Judge *Blackstone*—Comm. vol. i. p. 439. quarto edit.—observes, that—“ It is held to be essential to
 “ a marriage, that it be performed by a per-
 “ son in orders; though the intervention of
 “ a priest to solemnize this contract is merely
 “ *juris positivi*, and not *juris naturalis aut di-*
 “ *vini*: it being said that Pope *Innocent the*
 “ *third* was the first who ordained the cele-
 “ bration of marriage in the church, before

“ *Knoll*, and abjured many errors: one of which was,
 “ that the solemnization of matrimony is not profit-
 “ able, nor necessary for the well of man’s soul.” See
Burnet, Hist. Ref. p. 27. 2d edit. folio.

“ which it was totally a *civil* contract.” I do not cite these authorities to establish any *article of faith* upon the subject, but merely as historical facts, and to shew how far *superstition* must prevail among us, when it is seriously believed, that no obligation of *marriage* is lawful, binding, or valid, in the sight of God, that does not owe its *perfection* to a *ceremony* which never existed till the days of a *Pope of Rome*, whose pride and ambition led him to ordain it. When once *Peter Lombard* had found out that marriage was a **sacrament*, the administration of it by the hands of a † *priest* followed of course; the belief of its absolute *nullity*, without this, was gradually received by the *people*, grew into an *article of faith*, and *superstition* has continued it amongst us to this very hour. The *clergy*,

* It is to be remarked, that when the church of *Rome* had turned marriage into a *sacrament*, the words by which one of the *real sacraments* was instituted, as to its administration, were to be borrowed in the solemnization of matrimony, and the *council of Trent* decreed, that “ the *parish priest*, having interrogated the man and the woman, and heard their consent, shall say—“ I join you in matrimony, in the name of the Father, and of the Son, and of the Holy Ghost.” Comp. Matt. xxviii. 19. The church of *England* follows this *Papish* precedent very nearly; for the *minister, or priest*, is to say—“ I pronounce that they be man and wife together, “ in the name of the Father, and of the Son, and of the Holy Ghost.”

† This had been gradually making its way for a great while:—from the *priest's* attending to give a *benediction*, to *ceremonies* and *forms of words*, it crept on, till at last *Pope Innocent III.* by the help of *Peter Lombard's* invention, fully established it.

by

by this means, became possessed of a fresh source of power and wealth; for, what with the fees, or *offerings* as they were more gently termed, for *marriage* itself, that is, for performing the *ceremony*, the publication of *banns*, *dispensations*, and *licences*, it has proved a sort of *philosopher's * stone*.

Still

* *Soter*, the fifteenth bishop of *Rome*, at the end of the second century, before the name and authority of *Popes* were assumed, finding that appropriating marriage to the *priests*, promised no small revenue to the *clergy*, ordained, that no woman should be deemed a lawful wife, unless formally married by the *priest*. But this seems only to have been temporary, and was confined chiefly to *Rome*; other parts of the *Christian* world followed their ancient customs. We have seen how this was extended and improved in after ages; and we may observe, that in all the instances of cunning and policy wherewith *churchmen* have wrought for the conversion, or rather *perversion*, of Christianity into a worldly system, which could gratify their pride, satiate their ambition, and fill their coffers, few are to be found which have answered the purpose better, than turning marriage into a *sacrament*, throwing it entirely into the hands of *priests*, and laying it under the power and cognizance of ecclesiastical judges.

By these means, the church of *Rome* fastened an additional bond on the understanding and consciences of mankind, which gave rise to lucrative rites and ceremonies, dispensations, licences, and other modes of increasing the power and wealth of the church.

These were greatly enhanced by the introduction of *impediments*, which are not to be found in *GOD's* word, as well as of a power of *dispensing* with those that are positively enacted there; insomuch that Pope *Martin V.* gave a man leave to marry with his *own sister*, as is observed by *Angelus de Clavasio*, in a book called *Summa Angelica*, tit. *Pope*. Pope *Pius IV.* was for dispensing with the *prince of Spain's* marrying with his *own aunt*. PHILIP IV.

of

of Spain, married ANNE Archdutchess of Austria, though she was his own niece. Guthrie, Gen. Hist. vol. xii. p. 266. And we have lately seen, if I mistake not, the Pope's dispensing with the marriage of the king of Portugal with his own niece. Yet they hold it unlawful for godfathers and godmothers to intermarry, either with the parents or the baptized, by reason of a certain spiritual cognation which is invented between them. So the kindred which doth arise by the sacrament of confirmation; (see Brent, Counc. Trent, 785.) But of no such thing, of no such relation, and, of course, of no such impediment, do we read in the scripture.

Had the simplicity of marriage been adhered to as found in the scripture, matrimony had never been worth a single sixpence to the church; but as matters have been contrived by the church of Rome, and adopted in a great measure by Protestants, it may be said of the sums it has produced, as is said of SOLOMON'S brazen vessels, 1 Kings vii. 47, *Neither was the weight of the brass found out.* Pope LEO X. might well exclaim,

O quantum profuit nobis hæc fabula Christi!

One thing may be observed, which is, that in all the departures from GOD'S word, either as to ritual or doctrinal matters, which have been made by the church of Rome, there is not one which does not sound in damages, as our lawyers speak, and which does not tend to enrich the clergy.

They have usually acted on the principles of those philosophers, who hold—that “the emptying of one vessel may possibly prove the filling of another;” and they have found this so uniformly to answer the experiments which have been tried on the reciprocal connection between one man's pocket and another's purse, that what Horace has represented as the language of his day in Heathen Rome, is equally applicable to Rome Christian.

*O cives cives quærenda pecunia primum est,
Virtus post nummos.*

Ye sons of Rome, let money first be sought,
Virtue is only worth a second thought.

As our *Protestant church* has thought fit to adopt some of these lucrative contrivances, so, among the rest, the business of marriage has, in its measure, not altogether been thought *unworthy* of its notice. Our account stands pretty much as follows, viz.

To publishing *banns* in the church; in most places, is *one shilling*.

To the accustomed duty to the *priest* and *clerk*, which is ordered to be *laid upon the service-book* during the ceremony: This, in most places, is *five shillings* to the *priest*—and to the *clerk two shillings and sixpence*—making together, inclusive of the *banns*, *eight shillings and sixpence*.

This mode of marriage by *banns*—which was the invention of *Pope Innocent III.* and ultimately fixed, with a *salvo* for the Bishop's dispensation, by the *council of Trent*—usually falls to the share of the common or poorer sort of people.

Those who move in an higher sphere usually marry by *licences*, which, by carrying *stamps* upon them, make a considerable branch of the public revenue (as the same sort of things, under the name of *dispensations*, formerly did of the *Pope's*); one of these, if to marry in a church or chapel, costs about *one pound nine shillings*, besides the above accustomed duty to the *priest* and *clerk*, which on such occasions is *doubled*; or turned into the better and more lucrative article of—*what you please*.

If we go higher still, to the nobility, &c. who chuse to marry in *private houses*, they purchase an *absolution* for so doing, at the moderate price of *ten guineas*. *Priest* and *clerk* as before. In short—*Nil nisi cum pretio*.

For money b'ing the common scale
Of things by measure, weight, and tale;
In all th' affairs of church and state,
'Tis both the balance and the weight.

HUDIBRAS.

However, if all this related to a merely civil matter, and people are content to submit to it—very well; but there is *mischief* lurking under all this fair shew of decency and religious ceremony, which is horrible to conceive—for, without these things, marriages are declared to be *ipso facto null and void to all intents and purposes*

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whatsoever,

Still the *ordinance* of God was seen to be independent on all this, and to set it aside entirely, * was then too hard even for *Rome* itself (though we have lived to see it done in this enlightened age by a *British parliament*); therefore the laws of the *empire* held, as our *ecclesiastical* laws do to this day, that such a coming together on a previous contract, antecedently to the *ceremony*, was a marriage *de facto* †, or *in fact*, but not *de jure*—was not a *lawful* marriage, as to *civil* purposes—till the *priest* had executed that office which the *Pope* had assigned him, on the strength of *Peter Lombard's* monstrous interpretation of —“the *seven Spirits of God*.”

In order to preserve and increase such an acquisition of power and wealth to the *church*,

whatsoever, any law (even of God Himself!) to the contrary notwithstanding.

The bond and obligation which arise *ex assensu & concubitu* (but especially from the *latter*)—which are the only scripture-ingredients of marriage, as ordained by *JEHOVAH HIMSELF*, as making the *δι δύο εἰς σὰρκα μίαν* —the *twain one flesh*—are entirely set aside; their living together is *criminal*, though God has *sanctified* it; parting, and taking others, is *lawful*, though God has forbidden it. What is the legalizing such *divorces*, but *facere non peccatum de peccato*—making that *not sinful* which is *so*? What the stamping illegality and sin on such an union, but *facere peccatum de non peccato*—making that *sinful* which is *not so*?—This, from the pen of a *Bellarmino*, as the prerogative of the *Popes of Rome*, is a justly-aborred blasphemy—this, enacted by a *British parliament*, is the law of a *Protestant country*!

* This was afterwards (anno 1563) completed by the *council of Trent*.

† See before vol. i. p. 30. 31.

a stop was to be put to *private* * *contracts*, which could bring in nothing to the *men of the craft*; therefore the absolute necessity of publication of † *banns* was instituted in the

* *Tertullian*, who lived in the *second century*, and who fell into the errors of *Montanus*, writes thus: *Penes nos, occultæ quoque conjunctiones, i. e. non prius apud ecclesiam professæ, juxta machinam judicari periclitantur.* TERT. de Pudic. c. 4. “*Among us, clandestine joinings together, that is to say, such as are not first openly professed before the church, are in danger of being judged little better than whoredom.*”—The learned *father* saith well—*penes nos—among us*—for no trace of such a thing is to be found in the scripture. Thus early did that *mystery of iniquity* begin to *work*, which in after times made so considerable a part of *ecclesiastical* tyranny over the consciences of men, by rendering the interposition of *priests* essentially necessary to *marriage*, as to its *validity* and *obligation* in the sight of *God*. Thus was a foundation laid for the *desertion* and *ruin* of *seduced females*. See before vol. i. p. 9, 10.

† Upon collecting the whole evidence together, the origin of publication of *banns* appears to be as follows: The *Pope* finding the *sweets* arising from his power of *dispensations* to be very great, and large sums to accrue from them, took care to extend their necessity as far as possible—to this end, degrees of *affinity* and *consanguinity* were extended to the *seventh* degree, and even as far as *any relationship* could be traced, within which, none could marry. Still reserving to the *Pope* a power of *dispensation*; which was exercised in a shameful manner; being granted to some whom *God's* word had forbidden to intermarry, and others were *divorced*, for marrying within the *degrees* prohibited by the *Canons*. In order, however, to secure and increase the revenue arising from *dispensations*, *clandestine marriages* were forbidden, and none were to marry without publication of *banns*, that they might be deterred from *marriage* without a *dispensation*, if within any degrees of *relationship*; for if this was done without the *Pope's* *dispensation*, they fell under the *claws* of the *ecclesiastical courts*, and the marriage declared null.

beginning of the 13th century, and also various inventions in order to legitimate the issue of *concupinary parents*, as they called all those who came together *only* according to the ordinance of God; one of which may serve as a sample of the rest. “The ceremony was, that the *parents*, with the spurious issue between them, had a cloak or coverlid cast over them, while the *priest* was performing the *mass* or *office of matrimony*, and as soon as that was ended, the fruitful mother was delivered of a *lusty* infant under coverture and in *matrimony*.”

Reynolds, 71. Those who could believe that this ridiculous *farce* could make any difference, either in the state of the *parents*, or in that of the *child*, before God, may also believe that a man and woman who come together according to the ordinance of God, are the more *man and wife* in God's sight, after a *priest* has said *mass*, or red over a ceremony, than they were *before*—both these opinions are equally abhorrent from the truth of the scripture, *one* being no more to be proved thereby than the *other*. The Popish council of *Trent* put the finishing stroke to the whole plan, by *solemnly* and *piously* cursing “all who should condemn the *benedictions* and other *ceremonies*, or that should deny *matrimonial* causes to belong to *ecclesiastical* judges.”

We have now seen the *birth*, *parentage*, and *education* of *marriage-ceremony*, as depending on *ecclesiastical* establishment, and of
 2 men's

men's taking upon themselves to interfere with the authority and validity of the *divine* ordinance of *marriage*, which simply consists in the *union* of the *male* and *female*, and God's pronouncing them *one flesh*; thus is God said to *join them together*, and therefore it is, that no want of a human ceremony can ever *put them asunder*. This is truly and properly the *marriage-contract*, or rather the very *marriage* itself—*betrothment* may precede it, *espousals* may go before it; but whether they do or not, this *is*, as it ever *was*, and ever *will be*, *marriage* in the sight of God. All beyond this is matter of ceremony, decency, and prudence; I do not pretend to dispute the * expediency of such things; they are, and may, and must be

* "A clergyman, in performing a *marriage-ceremony*, does not confer any right or privilege on the parties which they had not before from nature; but only, in a public manner, witnesses and authenticates the public declaration they make, of having entered into a matrimonial agreement according to the laws and customs of the country. Thus, whether the ceremony be performed by a *clergyman*, or, as it formerly was, and still is, in many parts of the globe, by the *civil magistrate*, neither the act of the *clergyman* or *magistrate* convey any right, but enter on public record the recognizance of such parties entering, with mutual consent, on the exercise of a *right* which they have by nature:—as when an heir at law succeeds to an estate, the ceremonies customary in the country where he resides, at entering him *heir*, convey to him no new right to that estate, but only publicly declare, and manifest to his country, that he has entered on the use of that estate, by virtue of his inherent right as heir to it by nature." See *Alexander, Hist. Wom.* vol. ii. 259.

binding, as to the *dowries of wives*—the *legitimation* of children in a *civil* view—their *inheriting* estates and honours, and in such-like cases : but with respect to God's institution, it remains *as* and *where* it did, and so must remain, without any possibility of receiving the least alteration, or being at all subject to the disposal or inventions of *priestcraft* and *superstition*. Therefore it continues a truth indelibly written in the *oracles of God*, that where parties *come together* under promise and intention of *marriage*, such promise and intention can never be retracted by the parties themselves, nor dissolved by any power on earth, without doing violence to the express and positive law of God. Nay I will go farther, and say, that though there be no promise or intention of marriage, yet if a man *entice a virgin*, or, without previous enticement, *meet with her*, and HUMBLE HER, she shall for *that* reason *be his wife* ; he may not put her away all his days. Comp. *Exod.* xxii. 16. *Deut.* xxii. 28, 29. Were these truths as indelibly received, written, and believed within the *conscience* as they ought to be—

“ So many of the *sex* would not, in vain,
 “ Of faithless men, and broken vows, complain.”

A man would no more dare to *seduce a virgin*, and then abandon her, than he would dare to *murder* her ? as he would be convinced that the *law* of God as really forbids the *former* as it does the *latter*. If these *holy* commandments

commandments were, as they ought to be, the law of the land, the *magistrate*, as in *Israel*, would have such power of *coërcion* in every case, as would render the designs of *villainy*, and the machinations of *treachery*, abortive.

'Till this happy time arrives, we may lament, but cannot remedy, the dreadful evils which attend *seduction* and *dereliction*, and, in the pathetic words of the *Preacher*, say—*So I returned, and considered all the oppressions that are done under the sun; and behold the tears of such as were oppressed, and they had no comforter; and on the side of the oppressor there was power; but they (the oppressed) had no comforter.* Eccl. iv. 1.

As to the *superstition* which condemns *polygamy*, and persuades men to believe that our SAVIOUR called it *adultery*—as it is the *parent* of an error fatal to the *female sex*, insomuch that if a man already married entices a *virgin*, &c. he is to think himself *bound* to *abandon* her, contrary to the *positive command of God*—I must, in this place, say something more on that subject.

This species of *superstition* is like that which among the primitive *Christians*, and *fathers* of the *church*, was held in high esteem and veneration, and which reprobated “*second marriages* as little better “*than adultery*,” without all foundation whatsoever from the scripture, when rightly understood. The Old Testament often

* mentions *polygamy*, but never, as has been fully proved, with the least mark of disapprobation or disallowance—though often practised, and this openly and avow-

* The first instance recorded of *polygamy* is that of *Lamech*, (see before, vol. i. p. 143.) a cotemporary with *Adam*, and only *six* persons from him in a direct line (see *Gen.* iv. 17—19.) about 129 years after the creation of the world; a period too inconsiderable in point of time, considering the longevity of mankind in those days, to leave us the least room to imagine, that what had been pronounced by *Adam* on the subject of marriage, as recorded *Gen.* ii. 24. and by him doubtless delivered to his children, was either misunderstood or forgotten.

Le Clerc, on *Gen.* iv. 19. is far from condemning *Lamech*, as some have done—his words are, “Hinc porro
“ an primus πολυγαμὸς fuerit *Lamechus* non satis constat; nec πολυγαμία eo initio magis vituperari
“ potuit, quam fratrum & sororum damnantur matrimonia. Sive enim humani generis hoc postulaverit
“ propagatio; seu earum, quas duxit *Lamechus* alteri
“ alius vir non fuerit, cui collocaretur, mulieribus viros
“ numero superantibus; seu quæcunque alia fuerit
“ causa in tanta hominum raritate, *Moses* quod multis
“ post sæculis gentis suæ factitarunt sanctissimi patriarchæ, *Lamecho* vitio vertere non potuit.”

“ From hence it does not sufficiently appear, whether *Lamech* was the first *polygamist*; nor could *polygamy*, in that early time of the world, be any more
“ found fault with, than the marriage of brothers and
“ sisters be condemned. Whether the propagation of
“ the human kind might require this—or one of the
“ women whom *Lamech* married, had no other man to
“ whom she might be given in marriage, the women
“ then exceeding men in numbers—or whatever else
“ might be the case in such a scarcity of men—*Moses*
“ could not turn that into a crime in *Lamech*, which the
“ most holy patriarchs of his nation practised afterwards
“ for many ages.”

edly,

edly, by those whom the New Testament sets forth as examples of *faith and holiness* (Heb. vi. 12. Heb. xi. *throughout*, with Heb. xii. 1.) yet never in any one single instance condemned. Laws are made for its regulation, to establish the inheritableness of the issue, to prevent partiality in the disposal of the *polygamist's* effects among the children which he might have by *two wives*, and to forbid his *forsaking* or even *slighting* a *first* wife, if he took a *second* to her. The New Testament never mentions it at all, either as *good* or *bad*, with respect to itself: therefore our laws against it, or opinions about it, can no more make it *sinful*, than the *filly* notions of the primitive *Christians* and *fathers*, could make it “little better than *adultery*” for a man to marry a *second* wife after the death of his *first*, or than the laws of *Rome* can make it *sinful* to deny *five* of *Peter Lombard's* seven sacraments, or in a priest to marry at all. It is not in the power of men to invent sins, and then charge them upon the consciences of their fellow-mortals to their condemnation before God:—the assuming this, is a part of that *spiritual wickedness in heavenly things*, (Eph. vi. 12.) which has long distinguished the *mother of harlots and abominations of the earth*. Rev. xvii. 5. It may be looked upon as one striking evidence of the *Pope's* being the *man of sin*, described 2 Thess. ii. 3, 4. for it is *opposing and exalting himself above all that is called God, or that is worshipped; it is, as*
God,

GOD, sitting in the temple of GOD, shewing himself that he is GOD.—How shall I curse whom GOD hath not cursed? Or how shall I defy whom the LORD hath not defied?—was the saying of a man that had his eyes open. Numb. xxii. 31. xxiii. 8. xxiv. 4; but those whose eyes are *blinded* by *superstition*, or fast *closed* by *prejudice*, will take upon themselves to do what *Balaam*, daring and wicked as he was, would not presume to do. The answer which he gave to *Balak's* messengers, when they importuned him to come and curse *Israel*, was a good precedent for us to follow, whensoever we deliver our opinion on the *lawfulness* or *unlawfulness* of any actions of men, where conscience towards GOD is immediately concerned; and indeed it ought to be the language of all our laws, both of church and state—"If *Balak* would
 " give me his house full of silver and gold,
 " I cannot go beyond the commandment of the
 " LORD, to do either good or bad of my own
 " mind; but what the LORD saith, that will
 " I speak." Compare Numb. xxii. 5, 6. with xxiv. 13. However, we are assured that the *curse causeless, shall not come*. Prov. xxvi. 22. Therefore though a man should be burnt at a stake for denying *five* of the *Popish* sacraments, and by us * be reckoned
 a martyr

* I must confess that I hardly ever read over those words of the *Te Deum* without an heart-felt satisfaction—"We believe that thou shalt come to be our judge." How strangely contradictory are the judgments of men on one another! how much under the power of error, caprice, prejudice,

a martyr and a saint ; or another be *hanged* for having *two wives at a time*, and be accounted

judice, and resentment ! The same man shall be *canonized* as a saint by some, and *curfed* as an heretic and apostate by others.

The canon of *St. Victor* calls *Luther* a false teacher and an apostate, and him and his fellow-reformers—*hæretical antichrists*.

The writings of the *Protestants* extol them as reformers of the *Christian* church, and revivers of the great truths of the gospel.

The *Romanists* say, that *Luther* died suddenly in a drunken fit, and went *to hell*—some of them, that he was flown away with by the *devil*—a *cacodæmone* sublatum fuisse asserunt.

Quirinus Cnoglerus has observed, in his *Lutheran Creed*, that he had seen a little *German* book written in praise of *SAINT Martin Luther*, which contained at large the legend of this new *Saint*, canonized by the *Protestant* ministers in *Germany*, wherein were these words—

IN VITA ÆTERNA,
CHRISTUS habet primas, habeas tibi PAULE secundas,
At loca post illos tertia, LUTHER habet.

IN LIFE ETERNAL,
CHRIST has the first, and PAUL the second place,
The third is justly by our LUTHER claim'd.
See Gen. Dict. Hist. and Crit.
vol. vii. p. 247, 259.

The *Turkish Spy*, vol. i. p. 31. represents a *Jesuit*, as declaring, “ that the *wickedest* wretches, and most *detestable* that ever were, were *Judas*, *Mahomet*, and *Luther*; that these two last, as the most impious, are “ the more tormented in hell.

About ten years before *Luther's* death, he was taken very ill, insomuch that his life was despaired of. The *Papists* not only gave out that he was *dead*, but actually published the following curious account of his *death* ;
which,

counted a very *great sinner* ; yet the curse of the *Papists* could not injure the *first*, nor the bad

which, for the entertainment of the *reader*, and as a sample of *Romish* veracity, I will here transcribe.

“ A horrible and unheard-of miracle, which God,
“ evermore to be praised, hath, in the filthy death
“ of *Martin Luther*, damned *body* and *soul*, been
“ pleased to shew for the glory of *JESUS CHRIST*,
“ and towards the amendment and comfort of the
“ *godly*.

“ When *Martin Luther* was taken sick, he desired the
“ body of our *LORD* to be communicated unto him ;
“ which having received, he soon after *died*. When
“ he found the end of his life drawing on, he de-
“ sired that they would lay his corpse upon an altar, and
“ that paying thereto divine honours, they should wor-
“ ship it. But *God* at last, to put a period to his hor-
“ rible errors, admonished the people by a mighty mi-
“ racle to abstain from that impiety, which the said
“ *Luther* had brought in : for his body being laid into
“ the grave, there arose such a sudden tumult, horror,
“ and earthquake, as if the foundations of the world
“ had been shook, so that all that were at the funeral
“ were struck with amazement. But lifting up their
“ eyes, they saw the *holy host* hanging in the air” [*this*
you must suppose to be the host he received lately, which would
not vouchsafe to remain in such a vile heretic's body.]
“ Therefore, with great devotion of mind, they took
“ the most *holy host*, and laid it up in a sacred place ;
“ which being done, the hellish clatter ceased to be
“ heard ; but the night following, there was a more
“ frightful noise about *Luther's* tomb than before,
“ which raised the whole city, astonished and half dead
“ with fear : therefore in the morning they opened the
“ grave, in which the detestable body of *Luther* was
“ laid, but found therein neither body nor bones, nor
“ any of the cloaths, but a hellish stench of brimstone
“ coming out of the grave, that almost choaked all that
“ came near it. With which miracle very many being
“ affrighted,

bad opinion of *Papists* and *Protestants* united, in the least affect the *second*. Both would fall by the hand of *superstition*—both testify the horrors of its ascendancy over the minds of men—*both stand or fall to his own master*. Rom. xiv. 4.

On the contrary, let us remember, that there is a *curse* which is *not causeless*, and therefore *will come*—no *canons* either of the ancient or modern *Christians*—no human laws,

“affrighted, have amended their lives, to the honour
“of the Christian faith, and glory of *Jesus Christ*.”

This curious writing, with *Luther's* answer to it, is to be found in *Lonicerus's Theatrum Historicum*, fol. 246. and in *Hist of Popery*, vol. ii. p. 316.

After considering these, and many other instances which might be given, who, that values the peace of his own mind, would trouble himself, where *truth* is concerned, a single instant about the suffrages of ignorant mortals, either one way or the other?—Well said *Paul*—*With me it is a very small thing* (ἐλαφύιον—the smallest—least—either in itself, or in my concern about it) *to be judged of you or of man's judgment—but he that judgeth me is the LORD*. 1 Cor. iv. 3, 4. That same LORD will judge us—therefore, to know his will, and to do it, should supersede all other concerns whatsoever. Then I believe it will trouble us, as little as it now troubles honest *Luther* and his fellow-labourers, whether our fellow mortals *curse* or *canonize* us.—As to the suffrages of men—

*All your Philosophers agree,
And prove it plain, that one may be
A heretic, or true believer,
On this or t'other side a river.*

PRIOR's Alma, Canto II.

Making human opinion the standard of *truth*, is like making the *cameleon* a standard of colour.

inventions,

inventions, customs, or opinions will keep it off, or soften its rigour; for it is written in the New Testament as well as in the Old Testament—*Cursed is every one that continueth not in ALL things which are written in THE BOOK OF THE LAW to do them.* The man who takes a *virgin* into his *possession*, and then forsakes and abandons her, let his own situation be what it may (the *law* makes no difference) will find, that nothing can vacate the obligation of the *divine commands*, *Exod. xxii. 16.* (comp. *Deut. xxii. 28, 29.*) which declare that *he shall SURELY endow her to be his wife.* The words *מהר ימהרנה* are an emphatical reduplication—*dotando dotabit—endowing he shall endow her*—which expresses the positive certainty that it *shall* and *must* be so: like *Gen. ii. 17.* *מות תמות*—*moriendo morieris—dying thou shalt die*; which we, according to our idiom, well translate—*thou shalt surely die.* We may give much the same reason for the reduplication of the words in these passages, as *Joseph* gave for the doubling *Pharaoh's* dream, *Gen. xli. 32.* —*For that the dream was doubled unto Pharaoh twice, it is BECAUSE THE THING IS ESTABLISHED BY GOD, and GOD will shortly bring it to pass.* Equally plain and certain, and even more explicit, is that of *Deut. xxii. 29.* *First*, we have the *command itself*—*She shall be his wife*: *Secondly*, the *reason*—*Because he hath humbled her*: *Thirdly*, the *indissolubility* of the positive obligation arising therefrom—*He may not put her away all his days.*

days. To reconcile these *things, which are written in the law*, with our opinions and systems of matrimony, is impossible; these laws are evidently explanatory of the *primary law* of marriage, ours contradictory thereto; for no contradiction can be more apparent, than that which arises between a law, commanding marriage on the simple terms of the original institution—*because he has humbled her*—and thus become *one flesh*—and a law prohibiting marriage but on complicated terms of human invention, and even making void, to all intents and purposes whatsoever, the obligation which results merely from the *divine command*. When we farther consider this to be the case, in a country where the people profess a belief of the *Bible*, and who read these laws over in the public congregations of the *established church* once in every year, we surely ought to lament the reign of *superstition* in the consciences of men, who pray to God to *write His laws in their hearts*, and yet contentedly live under and embrace a system as opposite to those laws, as light to darkness. How can we cast a stone at the *Papists*, for striking the *second commandment* out of the *Decalogue*, while we ourselves strike these commandments out of the *book of the law*? May not they say to us—*Ye hypocrites, first cast the beams out of your own eyes, and then shall ye see clearly to pull out the motes which are in our eyes?*

By these laws no man can take a virgin, and then abandon her; by our laws a man may

may take an *hundred*, and abandon them all:—By the *first*, therefore, *prostitution* is impossible—by the *second* it is a natural consequence; for by the *one* it never *can* happen, by the other it *does*, and *must* happen every day.

Hence it follows, that the seduction of *virgins* by *single men*, who afterwards *put them away* because they *will not* marry them publicly—and by *married men*, who *cannot* if they *would*—may be looked upon as the two flood-gates of *female* ruin and misery: nothing can ever put a stop to their destructive *deluge*, but the abrogation of *superstitious* laws and customs, and the restoration of the *divine plan* of security and protection, which is so clearly revealed, so positively commanded, by the God of *heaven*.

Perhaps some will be ready to say, that,
 “ if virgins will deliver up their persons to
 “ men without the *ceremony* first past, but
 “ more especially to *married men*, where they
 “ know the *ceremony* cannot pass, do they
 “ not deserve to suffer?” Reader, if thou
 hast found this *severe* question presenting itself to thine imagination, as, if thou art one of those who *are wise in their own eyes, and prudent in their own sight*, (Is. v. 21.) trusting in *thyself that thou art righteous*, &c. (Luke xviii. 9.) it may have done more than once, in the perusal of these pages—let me advise thee to lay down *my* book, and take up a *better*; turn to *John* viii. 3. and read attentively to ver. 12.—consider deeply that
 short

short history which is recorded there, weigh well the circumstances, mark the characters, apply what is said ver. 7. to thyself, and if thou findest thyself inclinable to *retire* with those *Scribes* and *Pharisees*, leaving the objects of thy contempt and bitter scorn to the mercies, the tender mercies of the God who made them, knowing that thou thyself art also in the same *condemnation*—well: if otherwise, let me ask thee—*Is thine eye evil because God is good?* (Matt. xx. 15.) If He *who knoweth whereof we are made* hath graciously provided against the sad and ruinous consequences of human frailty, even as to this world, by enacting positive laws in order to prevent them, where they must fall the heaviest, and of course most need prevention, is it for thee to find fault with so gracious a dispensation, not considering that thou thyself art a monument of the like mercy? For if God had said concerning thee, what I suppose thee to have been saying concerning others; had He made no provision in His providence that thou mightest escape the consequences of thine own frailty, where hadst thou now been?—not censuring and condemning others, but thyself condemned to irretrievable misery, involved in inextricable ruin!—Make not then thyself *wiser* and *holier* than God; but lament the ravages of lust, seduction, and prostitution; *let thine eyes* (like the *Psalmist's*) *gush out with water, because men keep not God's law.* Ps. cxix. 136. Prayer-Book translation.

I say not this as allowing it possible for human laws, customs, and opinions, to make any thing sinful, which God's law hath not made so ; *sin is the transgression of the law — where there is no law there is no transgression — nor is sin imputed where there is no law.* Thus speak the scriptures, as we have before observed ; but if *superstition binds heavy burdens, and grievous to be borne, and lays them upon men's shoulders, the conscience must groan under the pressure, till the weary and heavy laden are released, by the friendly and beneficent hand of divine truth.* To say that a *virgin*, who delivers herself into the possession of the man of her choice, with an intent to become *his wife*, sins in so doing, unless an *outward ceremony* of man's device be first performed, is to say what the *Bible* has no where said : all that God says in such a case is, that they shall be *one flesh*, and that *she shall be the man's wife — he may not put her away all his days.* So that all contrivances which hinder the operation of this law, are not only so many snares laid for the *conscience*, which may enthrall and bring it into subjection to the pride and arrogance of man, but are big with every mischief which the DIVINE LAW was enacted to prevent.

The infamy, which, by this means, is stamped on such an *act*, has occasioned the murder of as many infants by the hands of their mothers, in this *Christian* country, as were probably sacrificed to *Moloch* in the same

same space of territory, by the hands of the heathen priests.

If, in consonance with the DIVINE LAW, such an *act* was deemed to create an *indissoluble union* between the parties, and the *public recognition* of it was to be enforced in every instance, as under the law of *Moses*, this mark of *infamy* would be removed, and, together with it, one of the most horrid of all temptations to one of the most unnatural and dreadful of all crimes.

When *Tamar* is arguing with the incestuous *Amnon* against his unhallowed attempt upon her chastity (2 Sam. xiii.) she might well say—"And I, *whither shall I cause my shame to go?*" for such an act was directly against the positive law of God, Lev. xviii. 9.—but where is the authority from scripture to stamp the *infamy* of *whoredom* on the exercise of that right, with which every woman is invested by the God of nature, for the propagation and continuance of the human species; I mean, that of bestowing her * person on

* To say—"This is *sinful* before the *ceremony*, but *lawful* after the *ceremony*," is to attribute a sort of power of *moral transubstantiation*, either to the *priest*, or to the *ceremony*, or to both: not very unlike that power in the *church of Rome*, of changing one substance into another. To imagine, that, that which is *evil* can become *good* by any invention or power in man, is not less absurd, than to suppose, that a little flour and water becoming a *wafer* by the art of the *baker*, can become the body, flesh, and bones of a man by the art of a priest. See before, vol. i. 46—48. vol. ii. 149. n. Consider the work of God, saith the Preacher, for who

on the man of her choice? Having once done this, if she goes to another (living the first) she is נאפֿת—an *adulteress*; if she falls into the practice of promiscuous intercourse, going from one man to another, as lust, or gain, or hire, may prompt, she is an *harlot*, or *whore*, in the true sense of the word זונה or πορνη, and under the law would have been put to death—but in the other case, we have NO MORE SCRIPTURE AUTHORITY to call her an *whore*, or to stamp the least *infamy* upon her, than the pious people at *Bordeaux* had for *stoning* a certain young lady of quality to death, for being suspected to have *fasted* on a *Sunday*. See *Comm. on Essay on Crimes and Punishments*, chap. iii. All these things originated from the ambition and avarice of the *clergy* in the middle ages; who, to lay the rest of the world under contribution in the business of marriage, as well as in many other particulars, made it into a SACRAMENT, obscured the real nature and essence of it, and wrested it out of the hands of the *civil power*, as to the *outward* and *public* recognition of it, to secure it to themselves; after which a man and woman could not marry but for the emolument of the church. A new-married couple were not suffered to cohabit for a given time, unless

can make that STRAIGHT which He hath made CROOKED? —i. e. that GOOD which He hath made EVIL, or that EVIL which He hath made GOOD? Eccl. vii. 13. with Eccl. i. 15.

they

they paid the church for a dispensation, nay, a man was not allowed *christian* burial, unless he bequeathed something to the church. —In short, a man “could neither come into “the world, continue in it, nor go out of “it,” as a late writer has well observed, “without being laid under contribution “by the clergy.” See *Alex. Hist. of Women*, vol. ii. 259.

Were our laws what they ought to be, were they founded on the basis of the DIVINE LAW, they would come in aid of *female distress*; they would rescue the poor deserted object of the man’s ingratitude and barbarity, from that unauthorized *reproach*, which is found so fatally intolerable by the weakness of the *female mind*; and lay the whole infamy and inconvenience, whatever these might be, on the guilty betrayer of an undeserved affection.

I have before said something on Deut. xxii. 21; but on farther consideration of that passage, am convinced that the woman who is said to *play the whore in her father’s house*, cannot mean that her crime consisted in giving her person to a man, without a marriage-ceremony red over her by a *priest*—for no such thing existed in *Israel* as the interference of *priests* in marriage—nor was there any *religious* ceremony whatsoever upon the occasion—the only thing which looks like an *outward* ceremony, is the payment of the *מָהָר* or *dower*, into the hands of the father of the *virgin*—but even the *want* of this ceremony

did not annul the marriage, or render the woman *criminal*, as appears from the case of the *seduced virgin*, Exod. xxii. 16. who is not commanded to be *put to death*, as the woman is in the other case, and as every *whore* of the daughters of *Israel* was. Therefore, in order to render the scripture consistent with itself, we must suppose that the woman was a *betrothed virgin*, who, between her betrothment and her marriage with the man *who found her not a maid*, had given her person to *another*; this in deceit of both—concealing her *betrothment* from the one, and her *defilement* from the other—thus *playing the whore*, and subjecting herself to the law concerning *betrothed damsels*, who, if they suffered themselves to be violated, were to be *stoned to death*, (comp. ver. 23, 24.) where the man that *lay with her* was also to suffer the same punishment—but as the man is not mentioned in this light, ver. 21. we must suppose that he was *deceived*, and had done it ignorantly, therefore innocently; for with regard to capital punishment, *nemo est reus nisi mens sit rea*. It is to be remarked, in support of the above interpretation, that the *virgins*, Exod. xxii. 16. and Deut. xxii. 28. have the addition of *not betrothed*.

Since I wrote the above, I have looked into Bishop *Patrick*, and am not a little satisfied with the interpretation above given of Deut. xxii. 21. as I find it so exactly harmonizes with the sentiments of that learned prelate, His comment is as follows——

“ *And the men of her city shall stone her with stones till she die.*] This was the punishment of such *adulteresses*, except only of a priest's daughter, who, if she was guilty of this crime, was *burnt alive*, Lev. xxi 9.—and it plainly shews he speaks here of a woman corrupted between the time of her espousals, and her husband's compleating the marriage; otherwise he could not have had this capital action against her, &c. And this *Maimonides* saith in *Seder Zeraim*, that from *Moses* to his time, it was never doubted the woman he here speaks of was one that proved false to her husband, *after she was contracted to him.*”

The Bishop, in one part of his note, seems to call it “*simple fornication*,” if the virgin was entirely single and disengaged; which proves how prejudice will affect the minds even of learned and judicious persons; for *fornication*, or *whoredom*—זנה—whether *simple* or *compound*, was *death* to the woman who was guilty of it; which is a conclusive proof, that the *virgins* mentioned Exod. xxii. 16. and Deut. xxii. 28, 29. were not guilty of either, and, of course, that none under the same predicament ought to be infamously styled *whores*, and driven to the desperation of destroying themselves or their children, or both, or be driven out of all civil society, to be vagabonds on the face of the earth; but they should be invested, by the laws of the land, with the undoubted right with which the laws of God invest them, and

thus preserved to their *friends*, the *public*, and *themselves*.

As for *conscience*, or that faculty of *judging* and *determining* on our own actions, and thus *excusing* or *accusing* ourselves, *Rom. ii. 15.*—it is a sort of *judge*, on whose determinations the happiness or misery of the human mind must greatly depend, not only with respect to this world, but with respect also to that which is to come—*For if our heart condemn us, GOD is greater than our heart, and knoweth all things—if our heart condemn us not, then have we confidence towards GOD. 1 John iii. 20, 21.*—Of what serious importance must it then be, that the decisions and determinations of this awful tribunal should be founded on the clearest and most incontrovertible evidence? In this respect it may be said to have an advantage over all other courts of judicature which we are acquainted with, and that is, in having access to testimony which cannot lye nor deceive, to RECORDS OF ETERNAL TRUTH, delivered to us, as it were, under the *seal* of HEAVEN ITSELF. Now let us suppose a *judge* seated on the bench—a criminal at the bar—the jury sworn—the witnesses on both sides summoned, and prepared to give their testimony—his *Lordship* stops all proceedings with—
 “ Gentlemen, I will proceed no farther; I
 “ will have none of these witnesses ex-
 “ amined; the case of the *prisoner* at the bar
 “ is sufficiently related in an article of such a
 “ *news-paper*, clearly stated in such a *pam-*
 “ *phlet*,

“ *phlet*, and you must acquit or condemn
 “ him according to these.”—I believe the
judge who could act thus, would be deemed
 very unfit to be entrusted with the lives and
 properties of his fellow-subjects.—In this
judge we see a lively emblem of a mistaken,
 mis-led, blinded *conscience*, which suffers it-
 self to decide on the *lawfulness or unlawfulness*
 of any thing before GOD, and in His
 sight, from the maxims, prejudices, laws,
 customs, and vulgar errors of fallible men,
 and not from the infallible *written* testimony
 of GOD’S most HOLY WORD.—*It is the SPIRIT*
that beareth witness, because the SPIRIT is
truth. 1 John v. 6. The not being pos-
 sessed of this authentic testimony of the mind
 and will of GOD, or not adverting to it, so as
 to make it the *one* rule of our judgment in
 matters pertaining to the *conscience*, puts the
 blind *Heathen* and the ignorant *Christian* upon
 a level. We are told in history, that when
 the *Carthaginians* were defeated by *Agathocles*,
 tyrant of *Sicily*, they imputed their mis-
 fortune to the anger of *Saturn*, who was one
 of their tutelar deities, and this anger they
 imagined to have arisen from a neglect which
 they had been guilty of towards him, with
 regard to the sacrifices which were offered
 him. In antient times it was usual to sacri-
 fice children of the most noble families to
 him, but for some years past, in these sacri-
 fices, they had substituted children of mean
 extraction, secretly bought and bred up for
 that

that purpose, in the room of those nobly born. This they now considered as a departure from the religion of their forefathers, and consequently were conscious of having given their Deity just cause of offence. To expiate the guilt of so *horrid* an *impiety*, a sacrifice of 200 children of the first rank was made to the bloody God; and above 300 other persons, in a sense of their dreadful neglect, voluntarily offered themselves as victims, to pacify, by the effusion of their blood, the wrath of this Deity. See Univ. Hist. vol. xvii. p. 447, 448. Such were the determinations of *conscience*, when without revelation.

When we consider the behaviour of the *Portuguese*, which we have seen mentioned before (p. .) or reflect on the rivers of *Protestant* blood which were poured forth at * *Paris* in 1572, * or in *Ireland* in 1641, by the

** On the 24th of *August*, 1572, at *Paris*, were massacred, in the dead of the night, not less than 25,000 *Huguenots*. For this execrable action Pope Gregory XIII. ordered a public thanksgiving, and sent a legate to Charles IX. to intreat him to continue it. On *October* 23, 1641, about 100,000 *Protestants* were either burnt or buried alive, drowned, or ripped open, &c. by the Papists in *Ireland*. See Sir *John Parsons's* History of the *Massacre*, taken from examinations upon oath.

Before this, in the *Low Countries*, from the first edict of Charles V. anno 1530, to the year 1558 inclusive, there were hanged, beheaded, buried alive, or burned, 50,000 persons, besides the multitudes put to death in *France*. See *Brent Counc. Trent.* 413.

Six hundred of the *Albigenses* were put to death in one day

the hands of the *Papists*—and all for *conscience* sake—we have but to compare the *Chris-*

day by *Philippus Augustus*—and the *Waldenses* smothered in the caves whither they fled to hide themselves.
Ib. 414.

These are but a small part of the cruelties of that bloody *superstition* of that *mother of harlots and abominations of the earth*—Rev. xvii. 5.—of whom we may truly say, in the language of the Poet,

*Tristius haud ILLA monstrum, nec scvior ulla
Pestis & ira Deum Stygiis sese extulit undis.*

VIRG. *Æn.* iii. l. 214, 215.

A heavier scourge was ne'er design'd,
By HELL ITSELF, to plague mankind.

In short, had *Satan* gone to *Rome*, and summoned a *conclave* of *seven spirits* more wicked than himself to his assistance, they could not have devised a plan more subversive of the gospel, more opposite to the scripture, more destructive of the liberties, lives, and properties of mankind, than that *superstition*, which has *blasphemously* dignified itself with the appellation of the HOLY APOSTOLICAL CATHOLIC FAITH.

The scourge and curse it has been to this country, made our *ancestors*, at the glorious *revolution*, frame laws for it's total exclusion; we, their children, are beginning to repeal those laws, under a notion of favouring *religious liberty*, and that *Popery* is not now what it was formerly; but let such *Patriots* go to the *Tower*, and order one of the *lions* to be let out of his den upon him, and he will find how little change of nature has been wrought in the animal by his confinement. I suppose there is hardly an instance upon record of the craftiness of *Popery*, which transcends that of persuading people to believe things to be true, which the evidence of all experience, and of even their own senses, declares to be false. If *Popery* appears to be different from what it was, this proceeds not from any alteration in the thing itself, but from want of power to exert it's intolerant spirit. However, as CONGREVE'S *Maskwell* says—
“*Qui vult decipi decipiatur*”—“If we will not hear
“the serpent hiss, we must be stung into repentance.”

tian

tian who does not advert to his *Bible*, with the *Carthaginian* who had no *Bible*, and we shall find a like cause producing like effects, though certainly the one is more inexcusable than the other. Yet in both cases it must be said—*A deceived heart hath turned him aside, that he cannot deliver his soul, nor say, Is there not a lye in my right hand?* Is. xlv. 20.

For my own part, I am perfectly convinced, that there is nothing so absurd, so wicked, or so foolish, which the human mind is not capable of being persuaded of, in religious matters especially, when once it delivers itself up to the dictates of *superstition*; for saying this I appeal to those *histories* of the globe which have accurately set forth the various religions, manners, customs, opinions, and laws of its inhabitants. There is one use to be made of these things, which is, to be thankful to the *Bestower of every good gift*, who is the *Fountain of all Wisdom*, that He hath been graciously pleased to cast our lot under the illumination of the *holy scriptures*; that He hath given us His *word, which is truth*, to guide us *into all truth*. This should awaken in us a jealousy over ourselves—knowing the liableness of the human mind to be deceived—which should lead us to try and examine whatever is objected to our belief, or recommended to our practice, by the unerring rule of God's revelation.

Could this have been done at *Carthage*, no children had been sacrificed to *Saturn*—had this

this been done by the *Papists* in *France* and *Ireland*, no massacres of *Protestants* had disgraced the *Christian* name—and were it now done among us as it ought to be, no *brothels* would teem with harlots—no streets swarm with *prostitutes*—no *wretched infants* be *butchered* by the hands of their *more wretched mothers*;—the honour of the *married wife* would be secured, the ruin of the *seduced virgin* be prevented. *Adultery* and *whoredom* would no longer dare to face the light, but be consigned to those realms of darkness from whence they came. On the other hand, while we are taught to believe that *sinful* which God has commanded—that *lawful* which God has forbidden, we are as fatally under the power of *superstition*; not only as the *Papists*, but as the very *Heathen* themselves; nothing can really and truly distinguish us from *either*, but an unreserved adherence to those *commandments*, which in so many instances we have *made of none effect by our traditions*.

When we lay *no obligation* on the man who seduces a *virgin*, to marry her, we *make void the law* of God, which positively declares He *shall*—when we *permit the man to put her away*, and deprive her of that recourse to justice which the law of God affords her, we vacate the *divine law*—when, in the case of a man already *married*, we divorce a *virgin*, which he has seduced, entirely from him, forbidding him (and this under pain of death, 1 Jac. chap. 11.) to do her *that justice* which
the

the *divine law* as positively commands, as in the case of a *single man*—we command what God forbids, and forbid what God commands.

In short, our *superstition* and the *superstition* of Rome go hand in hand; and, however we may be shocked at that monstrous position, which is mentioned by the Reverend Mr. Porteous, in his masterly and excellent sermon on *Toleration* (lately preached and published in Scotland, on account of the *Papish* bill) that “If the Pope was to command a thing to be done, and *Jesus Christ* was to forbid it, yet the Pope must be obeyed”—this is not more really horrid, in *sense*, though perhaps it may in *sound*, than saying—where *human laws* command things which are inconsistent with or opposite to the law of God, yet they are to be obeyed. Few would be so daring as to say this, but it is practically declared throughout our whole system, as relative to the *commerce of the sexes*.

As to *polygamy*—which is certainly one link in the chain of God’s dispensations, as so absolutely necessary to prevent, in many cases, the *desertion and prostitution* of women, as well as to preserve men from vice and profligacy, under various circumstances of unavoidable difficulties and temptations, which necessary separation may render them liable to (see before, vol. i. p. 175—177.) the causes of which may fall short of being grounds for utter divorce—it is, considered in itself, one of

of the last things which a man should think of, who wishes and aims at the happiness of a domestic life. The weight and burden of a double * family, the distractions which most probably *must* be the effect of jealousy between the women, each envying the other her share in the husband's affections, must be productive of disputes, quarrels, and perpetual disquiet. We see this to have been the case even amongst the best people, who were *polygamists*.—What were *Abraham's* trials, which arose from his connection with *Hagar*?—What those of *Jacob*, from the jealousy and discontent of *Leah* and *Rachel*? So *Elkanah* suffered not a little at the treatment which his favourite *Hannah* received from her rival *Peninnah*—and indeed it is so much in the nature of things, that matters should fall out alike in all times, where there

* This indeed is an objection which arises from the state of *luxury* into which we are fallen; for their plurality of wives was far from being either a charge, or an incumbrance, to the *Jews* of old time, considering their *simple* way of living. The domestic affairs were the province of the women, whilst that of the husband was the business of the *fields* and *vineyards*. Dressing of victuals, the care of the children, spinning, carding, weaving, and the like, are often mentioned in the sacred books as the occupation of women; whilst their husbands chose the more laborious works. See *Univ. Hist.* vol. iii. p. 146. A great number of children was esteemed, not a *burden*, but a peculiar *blessing*. See *Pf.* cxxvii. 3, 4, 5; and, where industry prevails throughout, children may be as truly looked upon as the riches of a *family*, as the numbers of industrious people are as the riches of a state. The more working bees there are, the richer the hive.

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are the same *causes* to produce the same *effects*, that one should imagine most men, who consulted the peace, quiet, and comfort of * themselves and families, would subscribe to *Horace's*

Felices

* I would not press this argument too far, lest it prove too much ; for, to say truth, how few *happy* marriages (comparatively) do we see in the world? but how many very *unhappy* ones have arisen from *second marriages*? Where the wife has died, leaving a family of children, and the husband has married again, either to a *widow* having children of her own, or to a *single woman* who brings a *second brood*, what miseries have arisen to the husband and his children by a former wife, through the jealousy and envy of the mother-in-law with respect to her own offspring? Yet all this has nothing to do with the *lawfulness* or *unlawfulness* of the matter itself. Nor is it fair to conclude against what is *essential*, from that which is *accidental*—it is certainly *possible* that *one wife* may make a man's life completely miserable, if she be such an one as *Solomon* mentions, *Prov. xxi. 19.* and *xxv. 24.*—it is also *possible* that a man might be very happy with *more than one*, if each be like what the same divine *penman* describes, *Prov. xxxi. 10. &c.* Yet, in either case, marriage, as *to itself*, stands just as it did, and is, *in itself*, just what the word of *GOD* makes it. We can only say, that, in the present corrupted and distracted state of things, all conditions of life have their inconveniences and distresses: those usually feel the most of them, whose connections in the world are most extensive.

The late excellent *Dr. Hartley* of *Bath*, in his *Observations on Man*, p. 230. on the question whether “ the
“ confining *one man* to *one woman* during life (except
“ in the case of the woman's *adultery*) be calculated to
“ produce the greatest possible good, public and private?” “ Here” (saith he) “ we must own ourselves utterly unable to form any exact judgment.
“ It is impossible to determine by any computation,
“ which, in all the ways in which marriage has been or
“ may be regulated, is most conducive to happiness
“ upon

Felices ter & amplius

Quos irrupta tenet copula ; nec malis

Divulsus querimoniis,

Suprema citius solvet amor die.

Thrice happy they, in pure delights,
Whom love with mutual bonds unites;
Unbroken by complaints or strife,
Ev'n to the latest hours of life.

FRANCIS.

It is most readily to be allowed, that such people can have nothing to do with *polygamy*, except it be to abhor and execrate the very thought of it.

The expediency or inexpediency of a thing, and its lawfulness or unlawfulness, are, however, very different considerations; *all things are lawful for me*, saith the *Apostle* (1 Cor. vi. 12. x. 23.) *but all things are not expedient*.—The *inexpediency* of *polygamy* in most cases is self-evident, but in no case can its *unlawfulness* be made to appear from the *law of God*;—as to the *law of man*, it can no more make it *sinful*, than it can make *marriage* itself *sinful*. A *clerk* who married in the reign of Hen. VIII. when this was made *felony without benefit of clergy*, was no more a *sinner* in the sight of God, than the *clerk* who married in the reign of Edw. VI. when the marriages of *priests* were declared to be as lawful as those of other men. So a man who has *two wives* is no

“ upon the whole. This would be too wide a field,
“ and where also we could have no fixed points to guide
“ us :—here therefore we seem particularly to want a
“ *revelation* to direct us, and therefore are under a *par-*
“ *ticular* obligation to *abide by its award*.”

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more

more a *sinner* now, than he would have been in the days of the *Patriarchs*, or of the *Jewish theocracy*—God's law was the rule of conscience *then*, and no other ought to be so *now*; men can no more *make sins*, than they can *forgive sins*—THE LORD is our judge—THE LORD is our lawgiver—THE LORD is our king. If. xxxiii. 22. Every attempt, therefore, to make things *sinful* which HIS LAW hath *not* made so, however it may appear under the specious guise of *piety* and *purity*, and be recommended to our belief and practice by the teaching and example of *men like ourselves*, it is no other than *Satan transformed into an angel of light*, and availing himself of the weakness and *superstition* of the human mind, to make us *believe a lye*.

In some cases *polygamy* is not only lawful, but *expedient*.—For instance—a man marries a woman, with whom he cohabits, and after a few years, or even months, she falls into raving *madness*—proper help is sought to, but in vain—it appears to be constitutional, from a family disorder—she is confined in a mad-house—pronounced incurable. In such a case as this, no one end of marriage can possibly be * answered to the husband. Other cases

* Such a case as this, was put to *Timothy*, Bishop of *Alexandria*, viz. “Supposing a wife to be perfectly “*foolish* and *mad*, so as to be confined, Whether an “husband, who says he cannot *contain* himself, may “lawfully marry another wife?” He answers, that, “this action would be *adultery* in him, and that no-
“thing

cases * might be put of equal difficulty with respect to him—in all which, the expediency of

“ thing else is to be said upon the question.” This his *Papish* relator ranks among many *judicious* answers.

Another question asked this *judicious Timothy*, was, “ Whether a person that fasted in order to communion, having by chance swallowed down a drop of water, either in bathing himself, or in washing his mouth, ought to *communicate* or no ?” He answers—“ He ought to do it so much the rather, because 'tis the *devil* that uses this artifice to hinder his receiving the communion.” See Du Pin, vol. ii. p. 195. Engl. Transl.

* When the case above mentioned—those others which are to be found, vol. i. p. 175—177:—and many such-like *situations*, are considered—the question; whether “ *polygamy* is or is not forbidden by the LAW OF HEAVEN,” may, perhaps, assume an *importance* in the opinion of the *reader*, which it had not before; and fully justify the *author* in the pains he has taken to settle that matter on the BASIS OF THE DIVINE LAW.

If it be *totally* forbidden, it can be in *no case* allowed—and if so, men must submit, without murmuring or disputing, to the holy and sovereign WILL OF HEAVEN; and, let the inconveniences of their situation be what they may, it is their duty to suffer them *all* with the most unreserved and unlimited resignation.

On the other hand, if it appears that the *thing itself* is no where forbidden, but allowed—it then must be *lawful*.—The contrary position can have no other ground, than the folly and superstition of the human mind, no other obligation than the tyranny of *custom*, sanctified by *human law*—this, to the distress and destruction of thousands.

I remember, once conversing in *France* with a *Capuchin* friar—and observed he wore *sandals*, which left his feet exposed to the rigour of the *cold season*—on asking him whether this was not attended with great distress and inconvenience? he answered—“ Yes—that many of his order had lost their toes, and some their *lives*, by *mortifications* which were caused by the severity of a frost.”—“ Why then, in such seasons as

of taking *another wife* is self-evident, and from nothing more than its being God's own appointed remedy against the sad consequences of *lust*—*If they cannot contain, let them marry, it is better to marry than to burn.* 1 Cor. vii. 9. To say that a married *Jew*, under such circumstances, might have applied this remedy *under the law*, but a *Christian* cannot *under the gospel*, is to place us

“least, will ye not wear *shoes* and *stockings* like other people?” “No—*our rule* forbids it.”—“Can you really suppose,” replied I, “that God can require this at your hands? or that there is any *merit* in thus exposing yourselves to misery, and even death itself, merely because men like yourself have commanded it?”—“it is more like *self-murder* than *religion*.”—Here the *father* grew a little angry—however I pacified his wrath, by wrapping an half-crown up in a piece of paper (for they must not *touch* money) and putting it into his hand—he departed, shaking his head at my profaneness, and assuring me, that I “should have the prayers of all his convent.”

How much wiser are we than this poor *friar*? he would sooner die of a mortification in his feet, than quit his *sandals* and wear *shoes*, because his *rule* forbids it!—We had sooner see men in situations which expose them to distress and destruction, and women irretrievably ruined by thousands, because *our rule* must be observed, instead of permitting them to apply the remedy which God hath graciously afforded, the *expedience* of which is, in numberless cases, as self-evident, as the *friar's* making the *change* which I recommended to him.

However, determining to trace the whole matter to the fountain-head, I have endeavoured to leave nothing unsaid upon the subject, which might tend to elucidate it:—its importance is *inconceivably great*—and if we chuse to wear *sandals*, because *Saint Somebody* or *other* found out that we must not wear *shoes*—we must abide by the consequences.

under a worse bondage than the *Jews* were, when under *the yoke which neither they nor their fathers could bear*. Acts xv. 10. Common sense, reason, nature, here coincide with scripture in the reprobation of such an idea. The man may be forced into *whoredom*, and he shall be *free*; but if he *marry* he shall be *deemed a felon*, and *suffer death as such*, says the *pious statute of 1 Jac. c. 11*.

The case of a *married woman* under such circumstances is very different, because the law positively forbids any *second union with another man, living her husband*. See Rom. vii. 3. But then let it be remembered, that if the privileges of *women* are circumscribed by a stricter rule than those of the *men*, so are their *passions*; these are usually as much weaker than the *passions* of men, as their bodily strength is weaker than the strength of men. I now speak of *women* as to their natural state, not as corrupted and debauched in their minds by the adventitious circumstances of bad education, and led astray by bad example. If *girls*, as soon as they can read, are to have amorous *romances* and *novels* put into their hands, perhaps obscene and filthy books, where *less disguise* is used than in the former—if they are taught to relish the lewdness of the stage, and to mix in the diversions of public assemblies, where men (like *Milton's toad* at the ear of *Eve*) make it their business to defile the purity of *female minds* by very impure conversation—it is no wonder that the rule which I have

laid down, should be found liable to many exceptions; but I have no doubt of its being subscribed to by every man, whose happy lot it is to have married a *sober*, truly-modest woman. Were it otherwise—did the *passions* of the weaker sex equal the *passions* of men—had not Providence most graciously ordained a considerable disparity, as one means of maintaining the subordination which women are under—the whole world must be thrown into confusion. We may easily judge of what consequences must ensue, by taking a survey of the distraction of those families, where the *natural balance* has been destroyed.

With regard to *superstition*, it takes so many shapes, and appears in so many forms, that one may say—

Quo teneam vultus mutantem Protea nodo ? HOR.

—while it changes thus, what chains can bind

These various forms; this *Proteus* of the mind?

FRANCIS.

Still it is uniform * in leading men from

* When we consider the various mazes of *error* into which mankind are led by the single principle of *superstition*, it may remind us of that beautiful thought in *Horace*, Sat. iii. lib. ii. l. 48. &c.

—*Kelut sylvis, ubi passim*

Palantes error certo de tramite pellit.

Ille sinistrorsum hic dextrorsum abit; unus utrimque

Error, sed variis illudit partibus.

As in a wood two travellers may stray,
Both lose the path, each take a different way;
By one *same error* both may be misled,
Though their lost steps in *various mazes* tread.

truth

truth to falsehood—in usurping an empire over the human mind, which is inimical to God's glory, to the reverence we owe His commandments, as well as to the solid peace, comfort, and happiness of mankind. Whether therefore *superstition* appears in the shape of a brazen image of an old man at *Carthage*, receiving infants into his arms, and letting them drop through into a pit of fire—or of an old man, made of flesh and blood, at *Rome*, commanding people to renounce the evidence of their outward senses—or of a *primitive* father of the *Christian church*, declaring against *marriage* as “unlawful under the gospel,” and that “all *second marriages* are only a more specious and decorous kind of *adultery*”—or of a grave and learned English statesman, enacting a law to *put those asunder whom God hath joined together*—or of a reverend divine, whether *Popish* or *Protestant*, maintaining that certain moral actions which God *allowed*, and in some cases *commanded under the law*, are *sinful under the gospel*—*superstition* is still the minister of *Satan*, who is the *God of this world*, (2 Cor. iv. 4.) carrying on his grand design to destroy the *human species*; nor is there so probable a way of effecting this, as in interfering with those wise regulations which the *Most High* hath made for the preservation of the *female sex*, as may appear from much that has been said, but from more which will be said in the conclusion of this treatise.

It is greatly to be lamented, that *supersti-*

tion has found its advocates, not only among the *designing* and *weak*, but even among the learned, and wise, and pious part of mankind; many melancholy instances of this stand upon record, not only in the annals of *Popish*, but of *Protestant* literature. Here I find myself constrained to animadvert on some passages of the *two sermons* * before mentioned,—with a few strictures on which, I shall conclude this chapter.

The learned and pious *author* seems, in a note at the bottom of one of the pages, to insinuate that no marriage is valid in the sight of GOD, where the “ceremony doth not” pass through the hands of a *priest*; who,” he tells us, “*acts in God’s stead*.”—Where is scripture-proof for this? No where—There is not a single instance of such a thing either in the *Old* or *New Testament*; neither the *priests* nor *Levites* under the law, nor the *apostles* and other *ministers* under the *gospel*, appear to have interfered in any *one* instance, nor is such a thing given in commission to any of them. Their several offices are most minutely set forth in all the duties of them, but not a word about their *marrying people*; I am therefore apt to think, that the maxim—*de non apparentibus & non existentibus eadem est ratio*—is very applicable on this occasion. If such a thing had been, we must have met with it, when the administration of the public ordinances by the hands of the *priests* and

* See vol. i. 262.

Levites was fixed under the Old Testament; to whom it was *death* to *add to*, or *diminish from*, the settled institutions of God. As for the passages in Gen. i. and ii. on which our author rests so much of his doctrine, particularly, God's *bringing the woman to the man* and *blessing them*, and therefore *priests* are to do the same—he might with equal strength of argument say, that because we are told, Gen. iii. 21. *Unto Adam and his wife did the Lord God make coats of skins, and clothed them*, therefore we are only to *wear skins*, and those are to be *put on* by a *priest*.

However, if this author's doctrine be true, I defy him to shew the record of one single *lawful* marriage (that of *Adam* and *Eve* not excepted) throughout the whole *Bible*; for there is not one mentioned in which a * *priest* appears to have been concerned: quite the contrary; the simplicity of the primary institution is uniformly preserved throughout the

* It should seem, that, among other things which the church of *Rome* borrowed from the *Heathens*, this of marriage by a priest was one. *Soter*, Bishop of *Rome*, in the end of the second century, seems to have taken the hint from that species of marriage among the *Romans*, which was called *confarreation*, (See before, vol. i. p. 33.) from the *bride-cake* of *salted bread*, which was eaten on the occasion, and was a ceremony observed at the marriages of the *pontiffs* and other *priests*, as also at the marriages of those persons whose children were intended for the *priesthood*. These marriages were always celebrated by a *priest*. "And here we discover," says a late author, "the first instance of *priests* having celebrated the rites of that institution." See *Alex. Hist. Wom.* vol. ii. 251. *Chambers's Dict.* tit. *Confarreation*.
whole,

whole, and probably would have been so still, if *Pope Innocent the III*d had not thrown marriage into the hands of the *priests*, on *Peter Lombard's* finding it out to be a *sacrament*. This was the origin of so universally bringing an *human ceremony* into the place of a *divine institution*, and of course involving millions of the *weaker sex* in ruin and destruction, by supposing God's ordinance not binding, as in His sight, without the interference of *human invention*.

Drawing any acts of God into precedents, without His authority so to do, may appear to be very *pious*, but is in fact very *profane*, seeing that this cannot easily be done, without *adding* to, or *diminishing* from, what He hath expressly commanded. This is a rock on which our author's scheme must split; for he maintains that—" 'Tis not the form " of words, which this or that church may " make use of in a matrimonial ceremony, " that constitutes the marriage" (*i. e.* in the sight of God; for as to the *civil contract*, they certainly constitute this)—which is very true; but not so what follows—" but " it is the act of joining together, and pronouncing them *one* in the name of God, " by one that is commissioned to act in His " name."—In the first place, no such commission, with respect to marriage, ever did exist, nor, without a *new revelation*, ever can, as the smallest trace of such a thing is not to be found in that revelation which we are already possessed of. *Secondly*, The Bible, gives

gives a very different account of the matter; for the express and positive command, Deut. xxii. 29. saith—*She shall be his wife*; not “because a *priest* joins them together, or pronounces them one in the name of God,” “but *חַתָּה אִשָּׁר עָנָה* — BECAUSE *he hath bumbled her*. Quod eam compressit. Mont. Here then is the *act* of marriage itself, by which they become *one flesh*; therefore *he may not put her away all his days*. Such is the positive precept of God—and yet it is to be supposed of *no* validity whatsoever, unless * ratified by some ordinance of *human contrivance*

* When OUR SAVIOUR is conversing with the woman of *Samaria*, (John iv.) he says to her—“Thou hast had *five husbands*, and he whom thou now hast, is *not thine husband*”—from whence some have inferred, that something besides *cohabitation* is necessary to constitute a marriage in the sight of God. But let us suppose, that *four* of this woman's husbands were dead, or had divorced her for *adultery*, that, under either of these circumstances, she had married a *fifth husband*, whom she had deserted, and lived in *adultery* with another man. She certainly had had *five husbands*, and the man with whom she now lived in *adulterous commerce*, perhaps clandestinely, could not be properly styled *her husband*, nor she *his wife*. See *Rom. vii. 3*. She therefore said *truly*, that she had *no husband*—having left him who was her *lawful husband*, and living with an *adulterer*, who was *not*.

As this scripture does not explain itself, we can only guess at its meaning; but then our conjectures should be regulated by the whole *analogy* of scripture, and not be the surmises of our own fancy. We should say (judging from the circumstances of things among us) that a woman who lived with a man without some religious ceremony performed, had *no husband*; but this cannot be the meaning of this place, because the divine law constituted no religious ceremony whatsoever on the

contrivance—such I must call the intervention of a *priest*, till I can find it in the scripture. — Without this, saith our author—“ they both live in an * habitual state of *for-nication* and *whoredom*.”—If so, what are we to think of the *patriarchs* and others whom we read of in the Old Testament, and whose marriages are particularly related? *Isaac* and *Rebekah*, for instance? All we read of their marriage is—that, *Isaac brought her into his mother's tent, and took Rebekah, and she became his wife*. Gen. xxiv. 67. So *Jacob* and *Leah*—*And it came to pass in the evening, that he (Laban) took Leah his daughter, and brought her to him (Jacob) and he went in unto her*.—Going in unto a woman is † equivalent to ענה—*humbling her, or lying with*

the occasion. The whole legality of a marriage among the *Jews* depended on the state of the *woman*, either as excepted against or not by the *law*, or as *betrothed* or not to another man—not on any religious ceremony—otherwise we must invalidate every marriage which is recorded in the word of God.

* He might as truly have said, that they both live in an habitual state of *burglary* and *housebreaking*; there is just as much scripture-authority for this as for the other.

In short, this is the very *lye* which the church of *Rome* wished to have believed, in order to frighten people into the hands of the *priests*, in the lucrative business of marriage-ceremonies, dispensations, &c. thus dishonouring and annulling the *positive* institution of the MOST HIGH.

Hoc ITHACUS velit & magno mercentur ATRIDÆ.

† This appears from many passages of scripture, where the words אֵן אֵן are to be understood in this sense. Comp. Gen. vi. 4. xxix. 21, 23, 30. xxx. 3, 4. 16. xxxviii.

with her. Comp. Gen. xvi. 2. xxx. 3. 2 Sam. xvi. 21. with 2 Sam. xii. 11. 2 Sam. xx. 3. 1 Chron. ii. 21. So in the case of *Jacob and Rachel*—*And he (Laban) gave him Rachel his daughter to wife also, and he (Jacob) went in also unto Rachel.* See Gen. xxix. 23, 28, 30. So *Boaz and Ruth*, ch. iv. 13. Many more instances might be cited; but I humbly conceive these are very sufficient, to prove, that a *marriage* may be *valid* in the sight of God, where there is no *church—chapel—priest*—or *outward ceremony* administered by a *priest*; if not, then I will agree that these good folks lived in “an habitual state of *whoredom and fornication.*” But, by the leave of this learned author, and with all due deference to “*Dr. Hicke’s excellent treatise on the Christian * priesthood,*” there is another

xxxviii. 2, 18. Prov. vi. 29. & al. So Calasio, sub voc. —בוא—אל אשה—ingressus est ad mulierem—*id est* —Coivit. That this is what makes the *actual marriage* in God’s account, and is the only ordinance essential thereto, is clearly to be gathered from Deut. xxi. 13. where it is said, that after the *expiration of the month*, which was allowed the *captive-damsel* to bewail her friends, &c. *after that,*

תבוא אליה ובעלתה יהיה לך לאשה
uxorem in tibi erit & ejus eris maritus & eam ad ingredieris.

thou shalt GO IN unto her, and be or become her husband, and she shall be or become thy wife—or a wife to thee. GOING IN unto her, and being or becoming her Lord—בעל—or husband—and her being or becoming his woman, or wife—are here, as elsewhere, equivalent terms. See before vol. i. p. 43—45.

* Bishop Bonner, in *Q. Mary’s reign*, made a long speech to the Convocation, in which he compared *priests* to

other insuperable difficulty in this same *priestly* scheme of marriage; which is, that however the *Jews* might have found such a person under the *Mosaical* dispensation, I am afraid, after that was at an end, if people had staid

to the *Virgin Mary*, in three points, and afterwards added—"The dignity of *priests*, by some means, passeth
"the dignity of *angels*; because there is no power given
"to the *angels* to make the body of *CHRIST*, which the
"least *priest* may do on earth, and the highest *angel* in
"heaven can not do. Wherefore *priests* are to be ho-
"noured before all *kings* of the earth, *princes*, and
"nobles; for a *priest* is higher than a *king*, happier than
"an *angel*, and maker of his *Creator*." Crit. Hist. of
Eng. p. 151.

All this is as *wise*, *true*, and *scriptural*, as to contend that no marriage is valid in the sight of *GOD* without the intervention of a *priest*. Let it once be proved from the *Bible*, that *priests* made marriages, or interfered in them in any one instance, and I will not only subscribe to all *Dr. Hickes* says in his "excellent treatise," but also to all *Bishop Bonner* said in his *excellent speech*.

If the reader will look into *Lord Sommers's Tracts*, vol. iii. p. 227, 228. he will find "two excellent treatises" of *Dr. Hickes* mentioned, in which, as appears by the transcripts from them, this learned and zealous *Protestant* divine perfectly harmonizes with *Bishop Bonner*—as to *priestly* dignity—and as for a *bishop*, "he is
"to be honoured as *GOD*; and he who makes himself
"a judge of a *bishop*, makes himself a judge of *GOD*—
"and he who resists a *priest*, is guilty of greater treason
"than he who resists the king, the *priest* being the king's
"superior." Of prayers for the *dead*, he says, "There
"is the same ground for those prayers, as for our com-
"mon *Christianity*. We believe those prayers are ac-
"cepted, which desire *GOD* to hear the saints for us,
"to send the deceased in *CHRIST* a good trial." Ib. 236. I cannot help considering such sort of divines as *mules*, neither *Papists* nor *Protestants*, but between both; though rather partaking most of the *former*, especially where *toleration* is concerned.

till they could have found a *priest* to marry them, they never could have married at all, but must have contented themselves with living *single*, or “in an habitual state of “*whoredom and fornication*”—because, under the *Christian* dispensation, we read of no *such* officer in the *church*. We read of ἀποστολοι—men sent immediately by CHRIST to teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost—therefore eminently styled—*apostles*. We likewise find one added to their original number, whose commission, received immediately from CHRIST himself, runs in these remarkable words, (Acts xxvi. 17, 18.) *To the Gentiles I send thee, to open their eyes, to turn them from darkness to light, and from the power of Satan unto GOD, that they may receive forgiveness of sins, and inheritance among them which are sanctified by faith that is in Me.* In all this there is not a word about *priesthood* or *marriage*. We likewise read of Ἐπισκοποι, *overseers*, which we call *bishops*—of Πρεσβυτεροι, *elders*—Διακονοι, *deacons*;—but in all that is said about them (and their several *offices* are very particularly mentioned, as well as their *characters* and *qualifications*) not the least hint appears of their interference in the affair of *matrimony*. See Eph. iv. 11, 12. For any man, or set of men, to tell us that they are commissioned from GOD, to do a thing, which is not so much as mentioned in *any commission* which they can produce from the scripture, as ever having been given to any
man

man upon earth, may charitably be supposed an imposition on their own understandings; but when forced on the belief of others, it is an insult on the understandings of the rest of the world. It is even worse still, for it is acting with the consciences of men, as the *old prophet in Bethel* acted towards the *man of God who came out of Judah to Jeroboam*; it is *lying to them in the name of the LORD*. See 1 Kings xiii. 18.

As for a *priest*, there is not, nor can there be, such a minister or officer of the *Christian church*. For every *priest* (whether high-priest or other, compare Heb. v. 1. with Heb. x. 11.) taken from among men, is ordained for men in things pertaining to GOD, that he may offer both gifts and sacrifices for sins; and by reason hereof he ought, as for the people, so also for himself, to offer for sins. And EVERY PRIEST standeth daily ministering and offering the same sacrifices, which can never take away sins—But this man (CHRIST JESUS) after He had offered one sacrifice for sins, for ever sat down on the right hand of GOD—for by ONE OFFERING He hath perfected for ever them that are sanctified. Of course, there remaineth no more sacrifice for sins, (Heb. x. 26. latter part) no more order of *priesthood* among men. The truth is, that the whole *priesthood* under the law centered in CHRIST under the gospel; He is in reality what the former was in type and figure.—The *Levitical* priesthood, with every circumstance relative thereto, was a figure for the time then present, (Heb. ix. 9.)
The

The Holy Ghost thus signifying, that the way into the holiest of all was not yet made manifest, while as the first tabernacle was yet standing, ver. 8. But CHRIST being come, an high-priest of good things to come, &c. now once in the end of the world hath appeared to put away sin by the SACRIFICE OF HIMSELF. See Heb. ix. 11, &c. To imagine, therefore, that He appointed an order of men to offer gifts and sacrifices for sins (which is the scripture-definition of the priest's office) besides having no warrant from the scripture, is to imagine CHRIST'S ONE SACRIFICE of HIMSELF imperfect, and to stand in need of something else to make it effectual—this runs us directly into what the church of England [Art. 31.] very properly styles—"the blasphemous fables and dangerous deceits" of the sacrifice of the *Popish mass*, wherein a man professes to offer CHRIST over again, and very consistently styles * himself a Priest!

* Or rather is so styled by the church of Rome; for in the council of Trent is a decree in the following terms, viz. "The sacrifice and the priesthood are united in each law; therefore there being a visible sacrifice in the New Testament, that is, the Eucharist, it must be confessed, necessarily, that there is a visible and external priesthood, in which power is given, by divine institution, to consecrate, offer, and minister the Eucharist, and to remit and retain sins." Though this decree contains almost as many *lies* as words—yet it was followed by an horrible *anathema* on all who should deny it. Brent, Hist. Council of Trent, 738, 739. Another *anathema* of the same council, is against—"those who should say that CHRIST, by these words—DO THIS IN REMEMBRANCE OF ME—hath not instituted priests, and commanded them to offer." Ib. 574.

In one sense, every *Christian* believer is a *priest*; that is to say, in the spiritual sense described, 1 *Pet.* ii. 5. *Ye also, as lively stones, are built up a spiritual house, an HOLY PRIESTHOOD, to offer up SPIRITUAL SACRIFICES acceptable to GOD by JESUS CHRIST.* So St. John, (*Rev.* i. 5, 6.) *Unto Him that loved us, and washed us from our sins in His own blood, and hath made us KINGS and PRIESTS unto GOD and His Father, to Him be glory and dominion, &c.* The appellation of *KINGS*, as well as that of *PRIESTS*, equally belongs to all *Christian* believers alike, but to no outward order, or particular set of men among them, in any exclusive sense whatsoever.

The pride and insolence of *churchmen* began very * early to work, and to aim at that dominion

* Those vile *forgeries*, which bear the name of the *Apostolical Constitutions*, (the authors of which, it is pretended, were the *twelve apostles*, and St. Paul, gathered together, with Clemens their amanuensis) repeat it over and over, lest *Christians* should forget it, that “a bishop “ is a god, a god upon earth, and a king, and infinitely “ superior to a king, and ruling over rulers and kings.” They command *Christians* to give him tribute as to a king, and to reverence him as a god, &c. Jortin, vol. i. p. 154.

Many passages there are in Cyprian’s writings, who lived in the *third century*, containing high notions of *episcopal* authority and *ecclesiastical jurisdiction*. While he strenuously opposed the dominion of one Pope, he seemed to make as many popes as bishops, and mere arithmetical noughts of the rest of the *Christians*. Ib. vol. ii. p. 75.

But there is a Popish writer named Alanus de Rupe, who, in an “ excellent treatise on the dignity and excellency of the *Christian priesthood*,” leaves the blasphemy of
Bonner,

minion over the consciences of men, which has been brought to so thorough a perfection by the *Popes* of *Rome*, though so formally *renounced* by an holy *apostle*—2 Cor. i. 24. The first step to making men *do* WHAT the *clergy* pleased, was to make them *believe* AS

Bonner, Hickes, &c. far behind; for he makes, in a passage I have now before me, a *priest* greater than GOD himself. “Quilibet sacerdos habet potestatem patris, & (salva semper Dei reverentia) habet majorem potentiam quam Pater omnipotentis in mundi efficientia. Nempe Pater septem dies laboravit, tam in opere creationis quam distinctionis, sed sacerdos celebrans quilibet, quantumque parvus, majus his omnibus facit.

“Pater enim ibi facit creata, sed sacerdos increatum. Ibi Deus producit effectus, sed sacerdos causa causarum generat.

“Quanta est igitur distantia Dei a mundo creato, tanta est excellentia operis sacerdotalis super opus creationis. Unde definitivè dico, quod majus est opus sacerdotis, quam habere potentiam creandi creata tot mundorum quot sunt substantiæ in mundo, &c.”

“Every priest hath the power of a father, and (with reverence to GOD be it spoken) hath greater power than the *Father Almighty* had in making the world. For the Father (GOD) laboured seven days, as well in the work of creation as distinction; but a *priest* celebrating (the mass) though ever so inconsiderable in himself, doth greater things than all these; for there the Father makes created things, but the *priest* what is uncreated. There GOD produces effects, but the *priest* generates the cause of causes.

“As much distance, therefore, as there is of GOD from the created world, so far is the excellence of the sacerdotal work above the work of creation. Whence, I definitively say, that the work of a *priest* is greater, than to have a power of creating the creatures of as many worlds, as there are substances in the world, &c.”

they pleased.—So early as the *second* century,
 “ the *Christian* doctors had the good fortune
 “ to persuade the people, that the ministers
 “ of the *Christian* church succeeded to the
 “ character, rights, and privileges of the
 “ *Jewish* *priesthood*, and this persuasion was a
 “ new source of *honours* and *profit* to the sa-
 “ cred order. This notion was propagated
 “ with industry some time after the reign of
 “ *Adrian*. Accordingly the *bishops* confi-
 “ dered themselves as invested with a rank
 “ and character similar to those of the HIGH-
 “ PRIEST among the *Jews*, while the *presby-*
 “ *ters* represented the PRIESTS, and the *dea-*
 “ *cons* the LEVITES.” Mosheim, vol. i.
 p. 88, 101. Thus did they “ extend the li-
 “ mits of their authority, turn their *influence*
 “ into *dominion*, their counsels into laws, and
 “ openly asserted, at length, that CHRIST
 “ had impowered them to prescribe to His
 “ people *authoritative rules of faith and man-*
 “ *ners*.” Ib. 88. The history of the church
 still shews us, how *superstition* enlisted on the
 side of *church power*, resisted the authority of
 scripture-evidence, “ made the observance
 “ of human rites and ceremonies necessary to
 “ *the attainment of salvation*.” Ib. 296.—till,
 in the 12th century, *Pope Innocent* the third
 turned marriage into a sacrament, and threw
 it into the hands of *priests*, on whose admi-
 nistration of certain human rites and cere-
 monies, its validity before God was supposed
 to depend; so that parties *joined together*
 otherwise than by this means, were deemed
 to

to live in "an habitual state of whoredom
"and fornication."

When I think on these things, I can hardly, with any degree of gravity, transcribe what our author lays down as an axiom, "That neither the woman can give herself
"to the man, nor can her father or friend
"give her to him *immediately*, but the hands
"of the *priest only*." The *Rubric* says, that
"the *minister*, receiving the woman at her
"father's or friend's hands, shall cause the
"man with his right hand to take the wo-
"man by her right hand, and say after him,"
&c. This is a very decent and harmless part
of the ceremony—but when we are told,
that "the woman *can* neither give herself,
"nor the man *take her*, but at the hands of
"the * *priest only*," we are, I suppose, to
understand this to be so *essential* to *marriage*,
that, without it, it is not *valid* in the sight
of God. Here is something very *serious* in-
deed; for what must become of people who
do not use this ceremony? are they to be
deemed to "live in an habitual state of *whore-*
"dom and fornication?" The *Quakers*, for † in-
stance?

* So the *Papists* contended against the *Reformers*, that
God's pardon could not be obtained, without *priestly* ab-
solution. See *Burnet, Hist. Ref.* 364, 2d edit.

† On this plan, what must be said of those who mar-
ried during the times of the *grand rebellion*, when mar-
riages were performed by the *justices of the peace*, and this
for about eighteen years together? These *marriages*
were declared valid by the act of 12 Car. II. c. 33. which
confirms all that were thus had and solemnized from

stance?—they must all, who marry among them, be lost eternally—for *fornicators and whoremongers have no inheritance in the kingdom of God*. 1 Cor. vi. 9. So that this gentleman's notions, like the *Pope's* bulls, carry an *anathema* wherever they are departed from. To invent a scheme, for which there is not a tittle of evidence from the *Bible*, and then positively assert it to be the only one by which *marriage* can be *lawfully* contracted, was worthy the *baughtiness* of a *Pope*, but not quite so becoming the *decent humility* of a *Protestant divine*; more especially when the *Bible* is by no means silent on the subject of *marriage*, but furnishes us with a stream of evidence concerning it, which evidently runs in another channel.

When we are commanded to be *followers of those who through faith and patience inherit the promises* (Heb. vi. 12.) we can hardly suppose that God would set before us, for our *imitation*, a people who “lived in an “habitual state of *whoredom* and *fornication*,” and yet we do not find one single instance of their marrying according to our author's plan; they certainly *could* and *did* “receive “their wives from the hands of the fathers “or friends, and not from the hands of a “priest” at all. *Jacob* received *Leah* immediately from her father *Laban*; thus he after-

May 1, 1642, to the year 1660. But this could not salve the matter, nor prevent the bitter consequences of *marrying* without a *priest*; which, if what this *author* says be true, must be bitter indeed!

wards received *Rachel*. *Isaac* is no where said to receive *Rebekah*, nor *Abram* to receive *Sarai* "by the hands of a *priest*." Nor does this appear to have been the case, either before or after the giving of the law, in the Old Testament; neither is there the smallest trace of it throughout the New Testament. So that all this learned *author's* discourse about *priests* and *marriages*, stands on no better foundation than the *Pharisees* traditions, which were *invented* by one set of men, *handed* down from them to another, and *believed* by the superstitious and ignorant of succeeding generations, till they gained an authority in some cases equal to, in others above, the *written word of God*.

Our author very truly says in a note—"It
 " was therefore death under the law of *Mo-*
 " *ses*, for any *stranger*, that is, one who was
 " not of the *priestly* order, to invade the
 " *priestly* office (Numb. xviii. 7.) which
 " was actually and dreadfully executed upon
 " self-sufficient *Corah* and his *deistical* com-
 " pany (Numb. xvi. 3. and 32.) nay, so
 " very sacred was the office of the *priesthood*,
 " that even *kings* themselves were immedi-
 " ately and signally punished by God him-
 " self, for usurping it under the law of *Mo-*
 " *ses*, as we may read (2 Chr. xxvi. 18, 19,
 " 20.) in the case of *king Uzziab*."

Here I would observe, that, if it was so
 penal to usurp the *priesthood* under the law of
Moses, which *priesthood* was only typical of
 the

the *priesthood* of CHRIST, may it not be worth the while of this *author* to consider what it must be to usurp the *priesthood* of CHRIST itself? The *apostle* shews, Heb. vii. that the typical *priesthood* passed in succession from one man to another, therefore there was always an order of men called of GOD, and appointed to that office; for no man could take *that honour to himself, but he that is called of GOD, as was Aaron.* Heb. v. 4. The same *apostle* points out a very remarkable difference with respect to the *priesthood* of CHRIST—which is, that it all resides in Him, and cannot *pass to any one else.* They truly were many priests, because they were not suffered to continue by reason of death; but this man, because He continueth ever, hath—ἀπαράλειπον ἱεροσύνην—a *priesthood* which cannot pass from HIM to any other. This is a truth of the last importance, for our salvation depends upon it, as may be gathered from the words of the next verse (see Heb. vii. 23, 24, 25.) When therefore persons assume an office, which is no where said in the New Testament to belong to any but the GREAT HIGH-PRIEST, who is the glorious *antitype* of the whole *Jewish priest*hood, and when they mean any thing by the “*Christian*,” “*priest*hood” but the *priest*hood of CHRIST himself, which is ἀπαράλειπος, *impassable* from Him to any, may we not reasonably doubt, whether “*Corah* and his deistical company” were the only self-sufficient invaders of “the *priestly* office?” This doubt will be soon

soon cleared up, if what is said Heb. vii. viii. ix. x. touching the difference between the *priesthood* under the *law of Moses*, and the *priesthood of JESUS CHRIST* under the *oath of JEHOVAH*, be duly considered and attended to.

But our author proceeds—"Is it not in conformity to God's bringing the first woman to the first man, that the minister, who acts in God's stead in our ceremony, gives the woman to the man, and afterwards joins them in God's * name, not his own, when he says—"Those whom God hath joined together (not I) let not man put asunder."—You see that neither the woman can give herself to the man, nor can her father or friend give her to him immediately, but by the hands of the priest only, who receiving her, as our *Rubric* says, from them, gives her to the man; which shews, that the compilers

* The unauthorized use of the names of the divine persons in the holy and blessed Trinity, when the priest joins the parties in matrimony, is copied, as we have seen (before, p 140. n.) from a decree of the *Popish* council of *Trent*, who gave the following wicked reason for their introduction—they said, that—"the use of these words was decreed to no other end, but that in a short time it might be made an article of faith, that those words pronounced by the parish priest were the form of the sacrament." So that what the *Papists* invented in order to make the people believe a lie, is here treated as an essential part of the ceremony, or rather of the very marriage itself! See *Brent. Hist. Coun. Trent.* p. 791.

" of

“ of our *matrimonial* form were better * ap-
 “ prized of the divine institution of mar-
 “ riage,

* The old proverb saith—“Give the Devil his due:”—therefore it is not quite handsome, to attribute this ingenious insight into the *divine institution of marriage* to “the compilers of our matrimonial form,” for they plainly borrowed the chiefest part of our *proceedings* from the church of *Rome*. When the *council of Trent*, building on *Pope Innocent the III*d’s foundation, (see before p. 137—139) were determined to give a finishing stroke to religious liberty, by throwing the consciences of men into the hands of *churchmen*, and to make the *marriage-union* no longer dependent on *God’s word*, but on *man’s law*, they established a decree as follows :

“ And because prohibitions do no good, the *synod* doth
 “ COMMAND, that the matrimony shall be denounced
 “ in the church *three festival-days* (we say *Sundays*)
 “ before it be contracted, and, no impediment being
 “ found, shall be celebrated in the *face of the church* ;
 “ where the *parish-priest*, having interrogated the man
 “ and the woman, and heard their consent, shall say,
 “ —*I join you in matrimony* (we say, “I pronounce
 “ you to be man and wife together”) *in the name*
 “ *of the Father, Son, and Holy Ghost*, and shall use
 “ *other words* accustomed in the province. Not-
 “ withstanding, the *synod* doth refer it to the *will of*
 “ *the bishop* (here’s a salvo for *licences*) to omit the
 “ *banns* ; but doth declare those to be *incapable* of
 “ marriage, who attempt to contract it without the
 “ presence of the *parish-priest*, or another *priest* of
 “ equal authority, and of two or three witnesses ;
 “ *making void* and *nullifying* such contracts, and pu-
 “ nishing the transgressors.” Afterwards it saith,
 “ The *synod* will have this decree to be in force with-
 “ in thirty days after it shall be published in every
 “ parish.—*Brent.* 785.

To hear a grave and learned *Protestant divine* comment on all this *Popish* rubbish, just as solemnly as if it was a decree of Heaven, affords no small proof of the force of
 of

“riage, as well as of the sacred importance
“of the *priest's office*, than some among us
“at present seem to be.”

If our compilers of the marriage ceremony, meant to represent what was done in *Paradise*, at the first institution of marriage, they have acquitted themselves very awkwardly, for there is not a single circumstance alike.

As to the “*minister's acting in God's stead*”—I do not find that God did any thing but *bring her to the man*, whereas with us the man brings the woman to church, and sets her before the *minister*—nor did God *speak* on the occasion—whereas the *minister* reads a long ceremony, attended with many * circumstances

of prejudice and superstition : and indeed, were not the subject too serious for such an expression, might be called *ridiculous*. The above is nearly the model of our *marriage plan*, as it stands at present, and thoroughly vacates the *divine obligation* arising from the *divine command*.

* *Burnet*, in his preface to *Hist. Ref.* observes, that the “primitive *Christians* brought in many rites of “*Heathenism* into their worship.”—The use of the *ring* in marriage, seems to have been derived from this source, for that it was an *heathen* custom appears in *Hooker*, *Eccl. Pol.* fol. edit. 1723, p. 267. The *Jews*, not improbably, borrowed it also from the *Heathen*; for that the *bridegroom* put a *ring* on the *bride's* finger is certain. *Broughton Hist. Lib.* vol. ii. 179. We take it from the *church of Rome*.

Mr. Chambers—*Dict.* under the word *Ring*—gives us the following account:—

“A second kind of *rings* were the *annuli sponsalitii*, “*wedding-rings*. Some carry the origin of this custom “as far back as the *Hebrews*; on the authority of a text “in *Exod.* xxxv. 22.—*Leo of Modena*, however, main-
“tains

cumstances which are entirely the invention of the *compilers*—therefore the “minister’s” “acting in God’s stead” without being commanded so to do, either by precept or example from God’s *book*, is, if very closely attended to, and examined upon the footing of scripture, not quite so like what passed in *Paradise*, as what was transacted on a certain occasion which our *author* has mentioned, concerning certain “self-sufficient intruders” into an office which did not belong to them, not being especially appointed thereunto by God *himself*. If the *state* chuses that the *civil contract*, which is to give the security which it requires for the marriage of the parties, should pass through the hands of a

“tains that the antient *Hebrews* did not use any nuptial ring. *Selden*, in his *Ux. Heb.* lib. ii. c. 14. owns, that they gave a ring in the marriage, but that it was only in lieu of a piece of money of the same value, which had used to have been given before.

“The *Greeks* and *Romans* did the same; and, from them, the *Christians* took it up very early, as appears from *Tertullian*, and in some antient *liturgies*, where we find the form of blessing the nuptial ring.” *Godwyn*, (*Rom. Antiq.* p. 68.) from *Aul. Gell.* tells us, that, “at the *Roman* marriages the man gave, in token of good-will, a ring unto the woman, which she was to wear upon the next finger unto the little finger of the left hand, because unto that finger alone proceeded a certain artery from the heart.”—How far the reason of wearing the ring on that particular finger, with regard to the artery, has any foundation in fact, I know not; but we *Christians* place the ring on the same finger of the woman. The use of the ring in marriage is, therefore, not one of those *circumstances* which are to be reckoned among the *inventions* of our *compilers* of the marriage-ceremony.

minister in a church, in the presence of the congregation, a decent proper ceremony compiled for that purpose is certainly expedient—but when we are told of a *divine institution*—the importance of the *priest's office*—his *acting in God's stead*, and in *God's name*—we must require plain *scripture*-proof for all this; but more especially when we are informed, that all this must be complied with on pain and peril of *eternal damnation*; for that must be the consequence of living in “an habitual state of *whoredom* and *fornication*,” which our *author* hath peremptorily declared to be the case of all, who are not pronounced *man and wife* by the “*mouth of a priest*.”

I should not have said so much on this *author's* doctrines upon the subject of *marriage*, were they not embraced so generally among us; they have, since *Pope Innocent* the III^d. laid the foundation of them, by throwing *marriage* into the hands of *ecclesiastics*, been growing in credit, till at length it became, among the generality, almost established as an *article of faith*, and now confirmed by act of parliament, 26 Geo. II. c. 33. that, “where there is no ceremony performed by a *priest* (and *this* under certain conditions of *human invention*) there is no *marriage* *,” consequently the *divine institution*.

* A recent and most melancholy instance of this mischievous and antisciptural *lye*, as to its tendency with regard to the principles and practices of mankind, has appeared in the sad and deplorable catastrophe of the
unfortunate

institution, with all its weight of obligation, is entirely vacated and set aside, nor can the scripture be brought, with its due authority, to rescue those from destruction and perdition, who have a right to its protection. How subservient this human *marriage-scheme* has been made, by the *father of lyes*, to the interests of his kingdom, in the promotion and increase of *whoredom* and *prostitution*, I need not be at much pains to prove; the *eyes* and *ears* of every man who walks the streets of our *metropolis* after sun-set, will be very sufficient judges of the matter from their own observation.

I will now shut up my remarks on our learned *author*, with citing *entirely* a very awful passage, which he has transcribed *partially* at the conclusion of his *two discourses*. *I testify unto every man that heareth the words of the prophecy of this book, if any man shall ADD unto these things, GOD shall ADD unto him the plagues that are written in this book.*

unfortunate Miss *Ray*, and of her still more unfortunate admirer Mr. *H.*—Had the *divine law*, and not *Papish* tradition, been made the *basis* of our *laws* with respect to *marriage*, he would have been taught to have considered her situation as that of the *wife* of the *noble Lord*, by whom she had several children, and with whom, it was said, she had cohabited from the age of sixteen, to the *fatal* moment which first brought Mr. *H.* to her acquaintance—he could never have thought of soliciting her hand in *marriage*, and consequently of indulging such a resentment, on her persisting in a refusal, as at last ended in his becoming her *murderer*, and, *intentionally*, his own—but he was awfully reserved for the hands of the *public executioner* !

And

And if any man shall TAKE AWAY from the words of the book of this prophecy, GOD shall TAKE AWAY his part out of the book of life, and out of the holy city, and from the things which are written in this book. Comp. Rev. xxii. 18, 19. with Deut. iv. 2.

“ The church of *England*, though she does
 “ not consider marriage as a *sacrament*, yet
 “ looks upon it as an institution so sacred,
 “ that it ought always to be celebrated by an
 “ *ecclesiastical* person. And by several ca-
 “ nons of our church it is declared, to be no
 “ less than prostituting one’s daughter, to
 “ give her in marriage without the blessing
 “ of a *priest*. But marriages without this
 “ sanction are not therefore *null and void*.
 “ For, though the positive *law of man* or-
 “ dains marriage to be made by a *priest*, that
 “ *law* only makes marriages otherwise so-
 “ lemnized *irregular*, but does not dissolve
 “ them.” *Broughton Hist. Lib. tit. Mar-*
riage. This passage in Mr. *Broughton* is
 confirmed by authorities cited in the margin
 of his book; and serves to prove the senti-
 ments of the *church of England*, with regard
 to *marriage*, antecedently to the *marriage-act*
 —the passing of which has overturned every
 part of the *divine institution*, as being of any
 obligation merely in *itself*, so that *marriage* is
 now more like a *creature of the state* than an
ordinance of Heaven.

However, it does appear, that though the
church of England made some *canons* in very
 early days which favoured of *superstition*, yet
 she

she has uniformly maintained so far the honour of the *divine institution*, that an *irregularity* (even the want of a *priest*) in the administration of the ceremony which was to attend the solemnization of it, did not *vacate* the obligation of the thing itself. See before P. 49, 50.

To conclude—If *superstition* consists in believing certain religious tenets which have no foundation or warrant from the scripture, as well as in setting up human tradition as a rule of faith and practice in religious matters—if *heresy* consists in *adhering* to certain positions and doctrines as so many *religious truths*, which are *inconsistent* with, and in many respects *opposite* to the mind and will of GOD, as revealed in the scripture—I will leave it to the discretion of the reader to determine, under which of the *two* he will rank the following positions, which are deducible from the systems of *law* and *divinity* in this kingdom.

That a man can seduce a *virgin*, and *lie with her*, and yet she not be his *wife* in the sight of GOD, and the man not be compellable to make her so in the face of the world.

That *no union* is binding on the parties, unless authorized by *human laws*.

That a man and woman may *divorce* each other, so as that the woman may marry again to another—if not joined by *act of parliament*.

That *polygamy*, though allowed of GOD
under

under the Old Testament, was forbidden by JESUS CHRIST under the New Testament, and is therefore *sinful*, and if so, *damnable*.

That where a man has *two wives of his own*, he shall be deemed a *felon*, and suffer death as *such*—but if he debauch ever so many *wives of other men* he shall be *free*.

That it is a greater crime to be a *polygamist* in *one* instance, than to be a *whoremonger* in an *hundred* *.

That

* This and the following paragraph may remind us of an *apothegm* of Cardinal *Campegius*, about the time of the *reformation*, who said—"Multo gravius esse peccatum quod sacerdotes fiant mariti, quam si plurimas domi meretrices alant."—"It was a *much more grievous sin* that priests should *marry*, than that they should *keep many harlots*."

However shocking the *Cardinal's* sentiments may seem to us, yet they are not at all more opposite to scripture, than ours upon the subjects here mentioned: and may serve to shew, how far superstition and prejudice may lead those who leave *the word of God*, turn their *ears from the truth*, and are turned unto *fables*, 2 Tim. iv. 4.

Some time before the *reformation*, the magistrates of the *Swiss cantons* made an edict that—"Every *priest* should be bound to have his proper *concubine*, that he might not ensnare the chastity of modest women."

Hugo, Bishop of *Constance*, in his letter to *Zuric* against *Zuinglius*, says—"though this seemed a ridiculous decree, yet it was necessary to be made, nor could be changed, unless that as much as was constituted in favour of *keeping concubines*, were at that present converted unto *lawful matrimony*." See *Brent. Hist. Counc. Trent.* p. 17.

As for *Luther*, because he wrote against the celibacy of the *priests* and *monks*, the nuncio of *Pope Adrian* to the diet of *Noremberg*, anno 1523, represented him as "treading in the way that *Mahomet* did long ago, permitting carnal inclinations to be satiated." He also

That it is more criminal to marry *two wives*, than to defile and then abandon ever so many *virgins*.

That human laws, maxims, customs, inventions, and prejudices, are to supersede the obligation of the *divine law*.

That JESUS CHRIST has taught a more *pure and perfect* system of morals than is contained in the *law* of the Old Testament.

That *therefore* men are to govern them-

observed, that "religious men forsook the cloisters, and returned to the world—that *priests* married, to the great *disgrace and contempt of religion*—wherefore it was necessary that some orders were taken, that these *sacrilegious marriages* might be dissolved, the *authors* severely punished, and the *apostates* reduced under the power of their superiors." Brent. 25, 26. After this, anno 1530, the Emperor Charles V. made an edict, that the married *priests* should either forsake their wives, or be banished. Ib. 57.—One accusation against good *Bishop Cranmer* was, that he had been *twice married*: that he had kept a wife *secretly* in the time of Hen. VIII. and *openly* in the reign of Edw. VI. Rapin vol. ii. p. 44. In 1554, *seven Bishops* were deprived by special commission, for having defiled their functions by contracting marriage, in *contempt of God*, and manifest *sin of their own souls*, as well as to the *grievous* offence of all orders of people, both *clergy and laity*. See Burnet Hist. Reform. 274, 275. Part II.

When Gregory VII. or Hildebrand, made his decree against the marriage of *ecclesiastics*, he branded it with the odious title of *the heresy of the NICOLAITANS*. Hist. of Popery, vol. i. p. 331.

I mention these things, to shew further, what absurdity, folly, and wickedness men may fall into themselves, and lead others into, when *human imagination* usurps the place of *divine wisdom*, and we cease to cleave to the *divine testimony* as the only *rule of right and wrong*, though under notions of stricter *purity* and more exemplary *holiness*.

selves by some *precepts* of CHRIST, not by the *moral law* of the Old Testament. See vol. i. p. 303, 327.

I could almost here adopt the words of the *Marquis of Beccaria*, in his ingenious *Essay* on *Crimes* and *Punishments*, and say of such positions as these, as he does of certain modes of prosecution—"What a labyrinth of absurdities! absurdities, which" (it is to be hoped) "will appear incredible to happier posterity. The *philosopher* only will be able to read in the nature of man, the possibility of there ever having been such a system!"

When the *reader* has revolved the above positions, and perhaps others which may incidentally arise from them, within his mind, he will most likely begin to see, farther than he did before, into that *mystery of iniquity*, which, mixing its baleful influence in the corrupt minds of men, transfuses itself as well into their *religious*, as into their *worldly* systems; and renders *both*, as far as they are connected with each other, either *independent* on, *inconsistent* with, or *opposite* to, the plan of the *divine government*; and these in more respects than we are apt to imagine, till we examine into, and seriously consider the subject, on the footing of the *divine law itself*; and weigh the importance of the *law*, as well as of our obedience to it, by that *holy jealousy* over it, which the GREAT LAW-GIVER HIMSELF hath manifested in His *word*.

This *jealousy* of GOD over *His laws*, as a necessary appendage to the preceding pages, shall be the subject of the next *chapter*.

C H A P. IX.

Of God's Jealousy over His Laws.

THIS title may be said to form a considerable part of the subject of *holy writ*, and indeed to pervade, and, like the *warp* through the *woof*, to run throughout the whole. The more we contemplate those authentic records of the mind and will of GOD, the more awfully shall we find this truth illustrated both by precept and example. — *I the LORD thy GOD am a jealous GOD, visiting the sins of the fathers upon the children, unto the third and fourth generation of them that hate me. Exod. xx. 5.*—and again, *Nah. i. 2. GOD is jealous, and the LORD revengeth; the LORD revengeth and is furious, the LORD will take vengeance on His adversaries, and He reserveth wrath for His enemies.*

An exemplification of this character of the *holy GOD*, began with the *first act* of *man's disobedience*—*By one man sin entered into the*

the world, and death by sin. Rom. v. 12.—*The wages of sin is death.* Rom. vi. 23.—*In the day thou eatest thereof thou shalt surely die.* Gen. ii. 17. Nor was this death a mere personal punishment, inflicted merely on the person of the first offender—but on his whole posterity: —*In Adam all die.* 1 Cor. xv. 22.

When men multiplied on the earth, transgression multiplied, till God's jealousy was awakened and provoked to destroy the whole world, except eight persons, (1 Pet. iii. 20.) by a flood of waters.

Afterwards we see *Sodom and Gomorrah*, with the five cities of the plain, together with their inhabitants, destroyed by fire and brimstone rained down upon them from the LORD out of heaven. Gen. xix. 24.

Not to dwell on general topics, let us for a while descend to particulars, and we shall find God's jealousy over His laws displayed throughout the scripture. Even the ceremonial institutions furnish us with examples of this. For instance, in the case of *Nadab and Abihu*, Lev. x. 1.—of *Korah, Dathan, and Abiram*, and all that appertained unto them, Numb. xvi. 32, 33. who were swallowed up by the earth—the 250 who were consumed by fire, for burning incense—and beside these, 14,700 who died of the plague, ver. 35, 49. In 1 Chron. xiii. 10. we see *Uzza* struck dead for only touching the ark, which belonged alone to *Aaron and his sons* to do. Numb. iv. 5, 15. To these instances may be added

that of 50,070 * men struck dead for looking into the ark at *Bethshemesb*, 1 Sam. vi. 19. Comp. *Numb.* iv. 19, 20. See 1 Chron. xv. 13. So that, even in respect of breaches of the *ceremonial law*, the men of *Bethshemesb* might well say—*who is able to stand before this holy LORD GOD!*

Likewise on the breach of *positive precepts*, though but *occasional* and *temporary*, the *jealousy* of GOD over his laws is terribly manifested; as in the case of *Achan*, Josh. vii. 25.—in the case of *Saul*, king of *Israel*, 1 Sam. xv. 23.—of the *disobedient prophet*, 1 Kings xiii. 21.—of *Ahab*, king of *Israel*, 1 Kings xx. 42.

From hence let us look to the *moral law*, which was ordained to be a *rule of life* to all nations, people, and tongues upon the face of the earth, whithersoever the word of GOD *should come*. This can never vary nor decay, because it is founded in the very nature of *that relation* which men bear to GOD and each other. The *commandment* which stands *first*, and is evidently the ground of all the rest, faith—*Thou shalt have no other GODS but me*. How all contempts of this law were punished may be seen in the fearful destruction

* Thus it stands in our translation: but there is not any absolute necessity to understand it of so many, or of more than 70 men out of 50,000 men—Septuaginta viros quinquaginta millia virorum. Mont.—which may certainly be looked upon as a fair rendering of the *Hebrew*.

See some ingenious remarks on this passage in *Letters of certain JEWS to M. de Voltaire*, vol. i. 320.—1.

of the *seven nations in the land of Canaan*—also in God's delivering the *Gentiles* into the hands of those worst of tyrants and destroyers, their own *vile affections*, so strikingly described by the *apostle*, Rom. i. 21, &c.—As to what the *Jews* suffered for *turning from God to idols*, it is so often mentioned, as to form a chief part in the history of all the calamities which were brought upon them by the righteous judgment of God. Not only the actual breach of this commandment, but even the enticing another to it, whether the enticer prevailed or not, was punished with death, and that without *mercy*, even though the enticer was a man's *dearest friend*, his *nearest relation*, the *wife of his bosom*. See Deut. xiii. 6, &c.

As the first commandment was to secure God's honour, as the *only object of worship*, so the *second* was like unto it, for it was to secure that *worship's* being paid Him in the way which He Himself had appointed. Hence the worship of Him under the form of images, *molten or graven by art and man's device*, was expressly forbidden. What *His jealousy* over this law was, may be learned from Exod. xxxii. when the people *changed their glory into the similitude of an ox that eateth grass*. (Ps. cvi. 19, 20.) And there fell in that day about 3000 men (ver. 28.) besides what fell by the *plague* afterwards, ver. 35. Nay God would have *destroyed them (all)* had not MOSES *His chosen stood before him in the breach,*

breach, to turn away His wrath, lest He should destroy them. Ps. cvi. 23.

All *image-worship* was absolutely forbidden by this law, whether the *idol* was meant as representative of the *true God*, as in the case of the *golden calf* (see *Exod.* xxxii. 4, 5,) or of the deities of the *Heathen*, as was the case of the *Israelites* in the matter of *Baal Peor*. The *apostle* (1 Cor. x. 8.) alludes to this, when he says—*Neither let us commit fornication, as some of them committed, and fell in one day 23,000.* The words *πορνεύσαμεν* and *ἑπορνευσάν* here, answer to the word *לנות* Numb. xxv. 1, which we translate *committed whoredom*—but the word *whoredom* in this place, said to be *committed with the daughters of Moab*, and the *fornication* spoken of by the *apostle*, are not to be understood in the common acceptance of those terms, as merely signifying intercourse with *harlots*, but also an *idolatrous prostitution* of the women in honour of the *idol*, which among many nations was looked upon as a *religious rite*. This was the case with the *Moabites*, as appears from the whole chapter; and the sin of the *Israelites* was, first, their yielding to the temptation of the *Moabitish* women, ver. 1. and then their mixing in the idolatrous *impurities* which were practised in honour of the *Moabitish idol*. Comp. Numb. xxxi. 16. Hence the holy zeal of *Phineas*, who slew *Zimri* and *Cozbi*, is marked with such applause, ver. 11, 12, 13. Ps. cvi. 30. as he thereby vindicated

vindicated the honour of *Jehovah*, in being an instrument in his hands of punishing those monstrous defilers of his law. And indeed their sin was a complicated insult on the *first* and *second* commandments. How God's *jealousy over His laws* operated on the occasion, may be learned from the judgment He inflicted. Numb. xxv. 3, 4, 5, 9. To this we may add the history of *Jeroboam*, king of the *ten tribes* of *Israel*, whose devilish policy led him to set up *two calves*, one in *Bethel*, the other in *Dan*, that the people might worship *there*, and not go to *Jerusalem*, thinking hereby to prevent their being drawn into a revolt from him to the king of *Judah*; but his sin is marked, as it were, with a *pen of iron*, as *cutting off and destroying the house of Jeroboam from the face of the earth*. 1 Kings xiii. 34.

The *third* commandment was to secure the honour due unto the *holy and reverend name* (Ps. cxi. 9.) of *Jehovah Aleim*—the LORD GOD—that it should not be mentioned in a *vain, irreverent, or profane* manner. In *Lev.* xxiv. 10. we find a man, by God's express order (solemnly delivered by *Urim and Thummim*) stoned to death for a breach of this commandment, though seemingly not done in a *deliberate*, but *hasty* manner, while *striving with another man*.

The *fourth* commandment, which, as to the moral intendment of it, was to secure a stated portion of our time to be set apart as *hallowed*, and sacred to the more immediate worship

worship of God, was not less an object of God's jealousy; for we find the same judgment as before, delivered and inflicted in the same solemn and awful manner, and terribly executed, for a breach of this law, and that too in the instance of a man, who only gathered a few sticks on the sabbath-day.

God having, in the *first table* of the law, provided for His own glory, worship, and service, proceeds in the *second* to publish His will concerning those relative duties, which men owe each other as children of one common Father. Accordingly—the *fifth* commandment enjoins duty * to parents—Honour thy

* The words of this law shew it to belong, in a very particular and especial manner, to the Jews—"That thy days may be long in the land which the LORD thy God giveth thee." The land here meant is doubtless the land of Canaan, to take possession of which they were now journeying from Egypt.

But doth this clause so restrain this commandment to the Jews, as to exempt Christians from an obedience to it? Certainly not—because the reason of this law must ever survive, it having a moral intendment, in its enjoining reverence and duty of children to parents, which can never cease, 'till those relations shall cease from the earth. And this, as I have elsewhere observed, is the best rule to judge of every part of the *divine law*:—where the duties which that law enjoins, or those apparent mischiefs which it was intended to remedy, equally concern or affect mankind at all times and places alike, there can be no reason for the cessation of the law itself, but its duration must be commensurate with that of the objects of it.

On this principle, those laws of Exod. xxii. 16. and Deut. xxii. 28, 29. which were apparently made for the security and protection of the female sex, must be as obligatory upon Christians as upon Jews. The mischiefs which

thy father and thy mother, &c. GOD's jealousy over this law is such, that when the curses from mount *Ebal* were solemnly pronounced, *Deut.* xxvii. one of them runs thus—Ver. 16. *Cursed is he that setteth light by his father or his mother; and all the people shall say—AMEN.* In what a dreadful manner disobedient children were to be punished, appears from *Deut.* xxi. 18—21. *Lev.* xx. 9. See *Prov.* xxx. 17. The fearful example of *Abshalom* is recorded 2 *Sam.* xviii. 9, 14.

The *sixth* commandment forbids *murder*. The breach of this law stands marked with the heaviest doom on the offender, *Gen.* ix. 6. *Who so sheddeth man's blood, by man shall his blood be shed.—Numb.* xxxv. 31. *Ye shall take no satisfaction for the life of a murderer which is guilty of death, but he shall be SURELY put to death.* Here is another instance of the reduplicatory emphasis in the *Hebrew* language—*מוֹת יוֹמָת—Moriendo moriatur—dying he shall die*—noting the certainty of what is said. See the terrible examples of *Agag*, 1 *Sam.* xv. 33. *Abab* and *Jezebel*, 1 *Kings* xxi. 19. xxii. 34, 35, 38. xxi. 23, 24. 2 *Kings* ix. 30, &c.

The *seventh* commandment saith—*Thou shalt not commit adultery.*—We have already observed, that the uniform and unvaried use of the word *נָאָף*—which we have as uniform—

which have accrued from laying them aside, are dreadful to think on, but never can be remedied or put a stop to, but by the restoration of *those laws* to the respect and honour which are due to them.

ly and unvariedly translated *adultery*, relates to the defilement of a *betrothed* or *married* woman—that this word is used to denote the turning from God, who is the *husband* of His church, to *idols*, called *strangers*, Jer. iii. 13. So that it carries its own single *idea* with it wherever it occurs throughout the whole *Hebrew* scripture. That the *seventh* commandment therefore prohibits a woman's taking or going to any man but her *own, one, proper husband*, is too plain to admit of the least doubt. God's jealousy over this law appears from the *penalty* inflicted on the breakers of it, which is certainly *death*, both of the *woman* who was defiled, and of the *man* who defiled her. Lev. xx. 10.

So jealous is God of the honour of this law, that even a *bare suspicion* which a man entertained of the chastity of his wife, subjected her to a most severe and awful *trial*, where, if she was guilty, God pledged Himself to discover it even by miracle—by turning a little harmless *dust* and innocent *water* into a deadly and destructive *poison*. Numb. v. 17, 22. None of this ever happened to a man who had taken, or was suspected to have taken, a *second* wife to his *first*—But why not, if the law equally reached his case? Can God be supposed to be less *jealous* of His law, if a man was *guilty*, or *suspected* to be guilty, of a breach of it, than in the case of *guilt*, or *suspicion* of guilt, on the woman's side? Why is *she* to suffer *shame*, the most excruciating *torments*, and even *death* itself, and

and the man on *his side* be free from even the least reprehension? Shall not the *Judge of all the earth do right*? Gen. xviii. 25.—But one good reason can be assigned for this difference, which is, that the woman *was condemned by the law*, the husband *was not*. This apparent distinction meets us every where throughout the *Bible*. If a wife took a *second* husband, living her *first*, they were called *adulterer* and *adulteress*, and both the wife, and the man who took her, were to be *stoned to death*, and if any *issue* was born of such *commerce*, it was to be excommunicated *from the congregation of the LORD*, even to the *tenth generation*. Deut. xxiii. 2. Where is there any thing of this to be found on the man's side?—So far from it, the issue of a *second* wife, living a *first*, was expressly, by God's positive law, to be looked upon as legitimate as the issue of the *first*, Deut. xxi. 15. No excommunication of the issue followed.—The direct contrary appears from the instances of the twelve sons of *Jacob*, who were equally *heirs* to, and *inheritors* of the land of Canaan—of *Samuel*, who ministered to the LORD in the tabernacle in his very childhood—of *Solomon*, who built and dedicated the temple of God—and, in short, in every other instance, without exception, which we meet with in *holy writ*.

When *David* took the wife of *Uriah*, he was severely reprimanded by the prophet *Nathan*; but after *Uriah's* death, he takes the same woman, though he had other *wives* before, and no fault is found with him; nor

is

is he charged with the least flaw or insincerity in his repentance on that account. The *child* which was the fruit of his intercourse with *Bathsheba*, during her husband *Uriah's* life, God *struck to death* with His own hand, 2 Sam. xii. 15. *Solomon*, born of the same woman, begotten by the same man in a state of *polygamy*, is called *Jedidiah*, or *beloved of the LORD*—acknowledged by God Himself as *David's* lawful issue, 1 Kings v. 5. and as *such set upon his throne*. All this, and much more which might be, and indeed has been mentioned, shews that *polygamy* is not, nor ever was, an object of the *seventh* commandment.—To assert that it is, is not only without evidence, but against all the evidence which the word of God affords us on the subject. Had this been an equal offence on the man's side as on the woman's, the *jealousy* of God *over His laws* would not have suffered Him to have been silent on a subject so important to the glory of His HOLY LAW. Had it indeed been *any* breach of that law whatsoever, we must have found some traces of His anger against it, not *every where* have met with His entire acquiescence and approbation. Otherwise I know not how we can say with *David*, or how he, of all men, could say—*Thy word is a lamp unto my feet, and a light unto my path*. Ps. cxix. 105. There is not a single breach of the *divine law* that is not marked out, somewhere or other, either *directly* or by *consequence*, with tokens of God's disapprobation and displeasure : but *this* is no where so marked; therefore

fore we must either conclude, that we are left *in the dark* concerning the meaning and import of the *seventh* commandment, or that *polygamy* is no sin against it : to conclude the *first*, is an impeachment of the *holiness, wisdom, and justice* of GOD ; to infer the *second*, is to establish the consistency and harmony of the scriptures, in the character which they have given us of the *blessed* GOD, who is to judge His reasonable creatures by that law, which He hath commanded, and made known unto them. To imagine that the holy LORD GOD—whose *jealousy over His laws is such*, as to command a man to be *stoned to death* for a single breach of the *fourth* commandment, and that only *in gathering a few sticks on the sabbath-day*—should allow, bless, own, and promote a breach of the *seventh* commandment, without a single instance to the contrary for *fifteen hundred years* together—and of the original *institution of marriage* (which is as *positive* a law as the other) for about *four thousand years* together—is wholly irreconcilable with the scripture-account of Him, whose glory it is to be of *purser eyes than to behold evil, and who cannot look on iniquity*. Hab. i. 13. Comp. Ps. v. 4.

Superstition itself seems abashed at the idea, and, in order to maintain its empire over the minds of men, to retire behind those intrenchments of error, which, even in the days of the *apostles*, began to be thrown up by the heretic *Cerintus*, in that horrid position, that “ the blessed *Æon*, who took on him
“ the

“ the person of the man JESUS, constantly
 “ opposed the God of the *Jews*.” However
 shocking this may sound in words, yet in
 truth and fact it is maintained in substance,
 by those who represent the LORD JESUS
 CHRIST as a *new lawgiver*, and as enacting
 laws contrary *to*, or inconsistent *with*, the
 laws of the Old Testament; or who say with
Socinus, that “ CHRIST’s mission upon earth
 “ was to exhibit to mortals a *new law*, dis-
 “ tinguished from *all* others by its unble-
 “ mished *sanctity* and *perfection*.”—Let us
 weigh the position, that “ God allowed *po-*
 “ *lygamy* under the Old Testament—but
 “ CHRIST forbade it as *adultery* under the
 “ New Testament,” in this balance, we shall
 find, in all sense and reason, their *avoir du pois*
 is so equal, that the weight of an hair, or the
 breath of a fly, would turn the scale.

Such is God’s *jealousy over His laws*, that
 He positively commanded—none should *add*
to them, or *diminish from* them. Deut. iv. 2.
 Whosoever did *either*, would be guilty of a
 breach of *this express* command; as such
 would be a *sinner*; for *sin is the transgression*
of the law. To fix this on CHRIST, is an
 horrible blasphemy; and could it be proved,
 that in any one instance CHRIST *added to* or
diminished from the law of God, by ordaining
 any thing contrary to or inconsistent with
 it, it would, as before observed, be making
 Him a greater impostor than *Mahomet*, who
 openly declared that he was sent to “ de-
 “ stroy the law of the scripture, and to set
 up

"up another of his own:"—whereas CHRIST declared, *He came not to destroy the law, but to fulfil it, and that not one jot or tittle should pass from the law.* But how could this be so, if CHRIST made that *sinful* which GOD made *lawful*?—if He repealed the *old* moral law, and set up a *new* one of *His own*? Those who can imagine such things, little consider the scripture-character of that *jealous* GOD, who declares so peremptorily by the pen of Divine inspiration—*I am JEHOVAH, that is My name, and MY GLORY I will not give to another.* Is. xlii. 8. The power of the *divine legislation* is an essential part of HIS GLORY, which is incommunicably *His own*, and which never *was*, or *will*, or *can* be communicated to * any other. When one of the *persons* in JEHOVAH covenanted to take on Him the name and office of a *Son* (see Heb. i. 5. latter part, with Matt. iii. 17.) and was to assume the human nature as the *second Adam*, He was to be *made of a woman*, made *under the law* (Gal. iv. 5.) not *above* it. He was so under the bond of the law, that He was a *debtor to do the whole.* Comp. Matt. iii. 15. with Gal. iii. 3. This ill suits with the idea of His abrogating, changing, altering, or repealing any part of it. It is said, Phil. ii. 7. that He—ἐκενώσε—*emptied Him-*

* Therefore the MAN CHRIST JESUS (1 Tim. ii. 5.) had it not, any more than He had certain other prerogatives which the FATHER kept in *His own power.* Comp. Matt. xxiv. 36. Mark xiii. 32. Acts i. 7. ἐν τῇ ἰδίᾳ ἐξουσίᾳ—in his own—proper—peculiar *authority*, or *jurisdiction.*

self—that is, of the glory which He had with the Father before the world was (John xvii. 5.) and was made man—took on Him the form of a servant (Δεσλς—of a slave) not of a sovereign and lawgiver. So far from exercising such a power, He even refused to interfere in determining a question of private property, Luke xii. 13, 14. saying—*Man, who made me a judge, or a divider among you?* And so far from aiming at kingly power (a main branch of which is legislation) when He perceived that they would come and take him by force, and make Him KING, He departed into a mountain Himself alone. John v. 15.—He had indeed a kingdom, but not of this world. John xviii. 36. not an earthly, but an heavenly kingdom, where they neither marry nor are given in marriage, but are as the angels of God. Matt. xxii. 30.

The small attention which the primitive Christians and fathers paid to the jealousy of God over His laws, was greatly owing to their ignorance of the Hebrew scriptures, consequently of the true meaning of the Old Testament. They too much separated the New Testament from it, making the latter a sort of * new system by itself, and governing themselves

* MARCION and the MARCIONITES, early in the second century, corrupted the book of the New Testament, by cutting out every passage which they thought to favour the Jewish religion. They contracted the whole New Testament into two books, the first of which they called the Gospel, the greatest part whereof was composed from St. Luke, and then completed by passages from

themselves by what they called *the precepts of CHRIST*; not considering that *these precepts* had their foundation and authority from what was written in the Old Testament. Hence, for want of comparing the New Testament with the Old, they got into their extravagant and wild opinions about marriage. For instance—CHRIST said—*There be eunuchs which have made themselves eunuchs for the kingdom of heaven's sake; he that is able to receive it, let him receive it.*—This was presently turned into a discouragement of marriage, as less pure and holy in itself than a single life, insomuch that the famous * *Origen*, who allegorized all the rest of the New Testament, took this passage literally; and actually castrated himself. His example was

from the other *Evangelists*. The other book they called *Apostolic*; it contained several of the *epistles*, to which they added an epistle to the *Laodiceans*. See *Weissin*; Proleg. p. 79.

* *Origen* flourished in the third century, and was almost the only one among those early fathers who understood *Hebrew*; but the advantage which this might have been to him, was all lost by an irregular and wild fancy, which led him to interpret the scripture upon the principles of the *Platonic* philosophy, and which this great man set up as a test of all religion. He so allegorized the scripture, that the letter of it lost all its meaning and importance.—Thus did he open a secure retreat for all kind of errors, that a wild and irregular imagination could bring forth. See 1 *Mosheim*, p. 140; 141; 142.—The practice of castration lasted a great while; as appears by the *canons*, which were made and revived, during many centuries, to prevent such as made themselves eunuchs from being admitted into holy orders.

followed by many others, till the practice was condemned, under the name of *autophony*, or *self-murder*. Those who committed this violence on themselves, “ were called “ by the *Apostles Canons*, *Ἀυτοφονεύται*, *self-murderers*—*Ἐχθροὶ τῆς τοῦ Θεοῦ δημιουργίας*, “ *enemies of God’s workmanship*.” See *Hammond* on *Matt. xix. 12*. Others, who did not go so far as this, yet held marriage to be a *carnal* thing, and unfit for the *chastity* and *purity* of *Christians* †. Thus, to avoid what the *Devil*, transformed into an *angel of light*, taught them to esteem a *filthiness of the flesh*, they fell into the *spiritual filthiness* of making themselves *wiser* and *holier* than God. Had they gone to the only fountain-head of all true interpretation, the *Old Testament*—had they enquired by *whom*, and for what purposes, *marriage* was instituted—they would have seen that the *law* was *holy*, and the *commandment* *holy*, *just*, and *good* which ordained it. They would have likewise seen that the *first blessing* which ever came from *Heaven* to earth, after the creation of man upon it, was annexed to that command—*Be fruitful and multiply, and replenish the earth*. *Gen. i. 28*.—that, so far from a *single* life being more *holy* than a *married* life, the *LORD* God said—*It is not good for man to be alone, I*

† The persuasion was almost general in the *third century*, that they who took *wives*, were of all others most subject to the influence of malignant *demons*. 1 *Mosh.* 137.

*will make him an help meet *for him.* Gen. ii. 18. —that *marriage* itself was ordained by God Himself, as consistent with the *perfect* innocence of man's state in *Paradise*, while he stood in the *likeness* and *image* of God, therefore no impurity or defilement could belong to it. For all these reasons, it is impossible that CHRIST should mean by what He said, that *marriage* is less *holy* and *pure* than a state of *celibacy*, or less becoming the *Christian* profession. This He did *not* mean. What He *did* mean, Matt. xix. 12. was (as we may humbly suppose) that in the times of the *infancy* of the *church*, when surrounded by persecution, and every opposition that earth and hell could give it, even death itself threatening on all sides the profession of the gospel, it was expedient that those who were to *preach* and *profess* it, in the midst of a *crooked and perverse* generation (Phil. ii. 15.) should keep themselves *disentangled* from worldly engagements as much as possible (see 2 Tim. ii. 4.) and especially from those ties which might tempt them to withdraw from the work they were called to, by attention to *family concerns* (see 1 Cor. vii. 32, 33, 35.) or perhaps to deny the *faith*, if they were called to *suffer* for it. Now, whoever preferred these considerations before even the

* *As before him.* Eng. Marg. — *I will make for him an help, one like himself.* BATE. — *A counterpart, or one corresponding to himself, such as the reflection of a man's self with a glass or water sets (גג) before him.* Id. note on Gen. ii. 18.

lawful indulgence of a *married* life, for the sake of the *gospel*, so as to remain *single* on this account, might truly be said to * *make himself an eunuch* for the *kingdom of heaven's* sake. This exactly harmonizes with 1 Cor. vii. in which the *apostle* says so much in favour of a *single* life, but explains the whole drift of his discourse, ver. 26. to relate to the then *distressed* state of things:—but as for *marriage* itself, he says, Heb. xiii. 4. *It is honourable in all*†. Had it not been so, we should hardly have seen our Saviour beginning His miracles at a *marriage-feast*—thus sanctifying by His presence this *primary ordinance* of G O D. *John* ii. 1—11.

From this want of comparing *spiritual* things with *spiritual*, they ran into all those extravagancies about *second* marriages, looking on them as abominable, forbidding *ecclesiastical* persons to be present at them, and

* The *Rhemists* comment thus, on Matt. xix. 12. “ They *geld themselves* for the *kingdom of heaven*, which *vow chastity*. Aug. de *Virginitate* 24 :—which proveth these kind of vows to be both *lawful*, and also *more meritorious*, and more *sure*, to obtain *life everlasting*, than the state of *wedlock*—contrary to our *adversaries* in all respects.”

† The apostle adds *καὶ ἡ κοίτη ἀμίαντος*, and the *bed* (that is the *marriage-bed*) is *undefiled*. For I take it the verb *ἐστίν*—*is*—must be supplied here as well as in the preceding sentence—*τιμιος ὁ γάμος*, which our translators have rendered—*marriage is honourable*.—Why not also render *καὶ ἡ κοίτη ἀμίαντος*, and the *bed* is *undefiled*? that is, not *less pure* than the bed of a *single person*. This connects the latter clause with the former, and makes the sense entire and complete, and would have saved a deal of *commentatorial ingenuity* on the word *undefiled*.

counting

counting little better than *whoredom* and *adultery* a man's marrying a *second* wife after the death of a *first*; thus making out notions of *purity* and *holiness*, which consisted in nothing better than *calling that which God hath cleansed, common and unclean*. *Acts* x. 15. All this, in part at least, is what we may suppose the *Apostle* to mean by τα πνευματικά της πορνείας ἐν τοῖς ἐξουρανοῖς — literally — *spirituals of wickedness in heavenlies* — such as *spiritual pride*, *hypocrisy*, *error*, and *deceit* relating to *heavenly things*, (*Eph.* vi. 12.) which are all the *works of darkness*, more eminently so when dignified with the name of *sanctity* or *holiness*. These things led the way to *monkery*, *nunnery*, and *schemes of unnatural celibacy*, which have been attended with practices too *unnatural*, *beastly*, and *abominable* to mention particularly.

Nearly allied to their disparagement of marriage, and condemnation of *second* marriages, and indeed the natural consequence of their wild opinions on these subjects, was their rage against *polygamy*, ranking it under the sins against the *seventh* commandment, and vouching *CHRIST's* authority for their proceedings; wresting that text *Matt.* xix. 9, to their own purposes, and making it contradict the whole united testimony of the Old Testament. In this particular we have trodden in their steps, the generality of our *commentators* make it *adultery*, and our *municipal* law, which does not punish *adultery*, yet adjudges a *polygamist* as worthy of *death*,

actually makes him a *felon*, and ranks him, in this respect, with *thieves* and *murderers*. This *wise* law was made in the *wise* reign of the *wise* James I. and stands in the statute-book next before the act which forbids persons to “*consult with, covenant with, entertain, employ, feed, or reward any evil and wicked spirits.*”—This was repealed 9 Geo. II. though it had *some* countenance from scripture—but *polygamy* has still the brand of *felony* remaining upon it, though there is not a tittle in the word of God against it. Exod. xxii. 18. saith—*Thou shalt not suffer a witch to live*: but no where does the law of God forbid *polygamy*: so that all that has been written, spoken, or enacted against it, from the days of the primitive *Christians* and *fathers* to this hour, or may continue so to be, is as void of all warrant from God’s law, nay, is as opposite to it, as hanging a *priest* for *marrying at all*, under the statute of 31 Hen. VIII. c. 14. while it remained in force—or the *ousting a man of his clergy* under the stat. Ed. I. for having been *twice married*—or for *roasting* a fellow-creature alive under the writ *de hæretico comburendo*. All these things were most highly honoured, and most *piously* respected in their day, however inhuman, barbarous, antisciptural, and unjustifiable, they may now appear to us.

Had the *jealousy* of mankind over the *law* of God, been at all times what it ought to have been, that *divine rule of right* had never been deformed and disgraced by *human invention*,

vention, and we never should have found men taking upon themselves to sport with the consciences and lives * of their fellow-creatures,

* In the Commentary on the *Marquis of Beccaria's* Essay on *Crimes and Punishments*, c. xiii. the commentator, who is supposed to be M. de *Voltaire*, exclaims—"Is it credible that there formerly existed a supreme tribunal more horrible than the inquisition, and that this tribunal was established by *Charlemagne*? It was the judgment of *Westphalia*, otherwise called the *Vhemis* court. The severity, or rather the cruelty, of this court, went so far, as to punish, with death, every *Saxon* who broke his fast during Lent. The same law was also established in *Franche-comté*, in the beginning of the 17th century.

"In the archives of a little place, called *St. Claude*, in *Burgundy*, are preserved the particulars of the sentence, and verbal process of execution, of a poor gentleman named *Claude Guillon*, who was beheaded 28th July, 1629. Being reduced to the utmost poverty, and urged by the most intolerable hunger, he ate, on a *fish-day*, a morsel of horse-flesh. This was his crime. He was found guilty of sacrilege. Had he been a rich man, and had spent two hundred crowns in a supper of sea-fish, suffering the poor to die of hunger, he would have been considered as a person fulfilling every duty."

However horrible the above instances may appear, however shocking to humanity, as well as to all true religion, it may be, for one set of mortals thus barbarously to sport with the lives of another—yet there is not any thing above mentioned, which is not as much founded on the authority of God, as making a man a *felon*, and to suffer death as such, for having *two wives* at a time.

The very sensible reasoning of the commentator upon the fate of *Claude Guillon*—"Had he been a rich man," &c. will also, with very little variation, apply to the other case—for, had the man who was doomed to death for having *two wives* of his own, only debauched a dozen *wives* of other people, he would have been free from that

creatures, as the humour, fashion, or superstition of the times dictated. What the answer of the *Barons* was to the request of the *Prelates*, as related in the famous statute of *Merton*, 20 Hen. III. would, with a small, but important variation, have been the language of every succeeding parliament, and, instead of *Nolumus leges Angliæ mutare*—it would have been said *Nolumus leges Dei mutare*.

Still *the LORD is King*—His dominion is over all—the laws of His kingdom, both in *heaven* above, and in the *earth* beneath, are as unchangeable as Himself—they are the transcripts of His mind and will, and the *unalterable rule* of His moral government over His reasonable creatures. No time, place, or age can change their obligation. As His law is the same, so is *His jealousy over it*.—Were the first causes of *public* and *private* distress and calamity more attended to than they are, men might see this truth, written in legible characters on all their afflictions and miseries—*God is a jealous God*.

I have before spoken on the notion of *antiquating* the laws of God, and leaving them out of our *system*, as “having nothing to do” with the more modern days of *Christia-*

that sanguinary law. One would almost think, that such laws as these were made “that there might remain no species of atrocious folly, which hath not entered into the heart of man.”

“nity;

“ *nity* ; that *Christians* are governed by *an-*
 “ *other rule*, and people are not to do *now* as
 “ they did under the *Jewish law*.” This
 may appear plausible to those who want to
break His bonds asunder, and cast away His
cords from them—Pf. ii. 3.—without the
 trouble and vexation of a guilty conscience ;
 or who are ignorant enough of the *nature,*
use, and properties of the *divine law*, to ima-
 gine that it is superseded by what they call
 the *law of the gospel*. This idea is so general,
 that it would ill become a writer on the sub-
 ject of this *chapter*, to spare the pains of once
 again considering these *dangerous but fashio-*
nable tenets.

It is a true and solid maxim, with respect
 to the *laws of God*, as well as in *human ju-*
risprudence, “ *ubi eadem ratio ibi idem jus*—
 “ *where there is the same reason for it, there*
 “ *the law must be the same*.” This is a good
 criterion by which we may judge between
 those laws which are waxed old and vanished
 away, and those whose obligation must ever
 remain. According to this rule, we may
 safely determine on the *obsoleteness* of the
 whole *ceremonial law*—as likewise on that of
 those *particular laws*, which could only relate
 to the peculiar situation of a peculiar people.
 But there is the same reason *now* as ever, why
 we should *have no other Gods but JEHOVAH*
 —why we should not *make images and worship*
them—why we should not *take the name of*
the LORD our GOD in vain—why we should
 set

set apart a portion of our time for the immediate service and worship of HIM that made us—why we should honour our parents—do no murder—not commit adultery, by defiling our neighbour's wife—why we should not steal—bear false witness, or covet that which is another's:—we have therefore very properly adopted these commandments into our public service, read them in the ears of the people every sabbath-day, and pray for mercy on account of our sins against them, and that God would write all these His laws within our hearts, inclining our hearts to keep them. We have made other commands of God the ground of some of our penal laws—such as those against unnatural lusts—and doubtless there is the highest reason why this should be so. Why then do we make void other laws? why make other commandments of God of none effect through our traditions? Why is a virgin, who gives her person into the possession of the man of her choice, less one flesh with him now, than when God said—She shall be his wife, &c? Why do we now put asunder those whom God then joined together? Is there not the same reason of their indissoluble union now as when it was said—They shall be one flesh; because he has humbled her, he may not put her away all his days? Is the divorcing or putting away the woman less against God's ordinance, or attended with less mischief and inconvenience, than it was three thousand years ago? Let the poor, deluded, helpless, and

and forsaken * wretch, who is wasting with disease, perishing with cold and nakedness, fainting with hunger, give the answer!—let thousands, that, like her, have been deceived and ruined, declare what answer can be given. Could the unhappy, desperate creature, who is sharpening her knife for her *new-born infant's* throat—the wretch whose horror makes her *forget her own child, so that she has no compassion on the fruit of her womb*, If. lix. 15.—could she be asked the reason of her cruelty, she would tell us that it originated from *shame and fear* (fixed on her by the *inventions of men*) which prompt her to avoid the *censure of the world* so as to overwhelm every other consideration. Nor could it be made to appear, that such misery finds more alleviation from the want of *power* in a married man, than from the want of *will* in a single man, to prevent it.

All this is owing to the frame of our

* An affecting description of such an one, is to be found in Dr. Goldsmith's Poem—*The Deserted Village*—

— — — — — *Oh turn thine eyes,
Where the poor houseless shiv'ring female lies :
She once, perhaps, in village plenty blest,
Has wept at tales of innocence distressed ;
Her modest looks the cottage might adorn,
Sweet as the primrose peeps beneath the thorn.
Now lost to all her friends, her virtue fled,
Near her betrayer's door she lays her head ;
And, pinch'd with cold, and shrinking from the shower,
With heavy heart deplores that luckless hour,
When idly first, ambitious of the town,
She left her wheel, and robes of country brown.*

laws

laws—to the unscriptural and *antiscritptural* power assumed by man in *things relating to God*—to our making *marriage* and its *obligation* consist, not in what God hath made them to consist, that is to say—simply in the *union* of the parties—but in the words of a *priest*, in the sanction of an human outward ceremony, in a *lye* *, invented at *Rome*, adopted by the ambition and avarice of *Pope Innocent the III*d. and his clergy, and from them handed down and received, by the credulity of mankind, ever since. *Hinc illæ lachrymæ!* Hence flow the tears of the seduced, the deserted, the ruined *female*—hence heave those *sighs* which affect none but the heart they come from, and which serve to little other purpose than to grace the tri-

* *Viz.* That *marriage* is a *sacrament*, and as such must be administered by the hands of *priests*. Afterwards the Council of *Trent* decreed—“If any shall say that *matri-mony* is not one of the *seven sacraments* instituted by CHRIST, and doth not confer grace—Let him be accursed.”

Again—“If any shall condemn the *benedictions* and other ceremonies—Let him be accursed.” See *Brent Counc. Trent.* p. 784.

† It is granted, that *Protestants* do not receive that part of the *lye* which turns *marriage* into a *sacrament*; but the other, and perhaps the most *mischievous* part of it, as far as *female ruin* is concerned, namely, “that there can be no *marriage-obligation*, but by the act of a *priest* in a church,” is not only a general belief, among *Protestants* as well as among the *Papists*, but is honoured with the sanction of a public statute (26 Geo. II. c. 33.) *exceptis excipiendis* for special licence among the *Protestants*, and the Bishop’s licence, or the *Pope’s dispensation* among the *Papists*.

umphs

umphs of lust, perfidy, and treachery, over justice, mercy, and truth. Custom has fixed the odious name of *whore*, on her whom God accounts a *wife*—*whoredom* and *fornication* on that which he esteems *marriage*, by positively establishing it as such in *His word*—*bastardy* is stamped on those whom God *legitimizes*—and those are *put asunder* whom God for ever *joins together*.

The Hebrew זונה—which we translate an *harlot* or *whore*—like the Greek πορνή, denotes a woman, who from a principle of lust, idleness, or avarice, bestows or sells her favours promiscuously to all men alike: whereas the *virgin* who bestows *her person* on the man of her choice, with an intent to be *his* and *his alone*, so long as both shall live—or being *enticed*, or even on a more sudden occasion *seduced*—is in the language of scripture the אשה—or נעמה—the *woman* or *wife* of that man from that moment. He is bound to maintain, protect, and provide for her as such; and no ceremony of man's invention can *add to* this obligation, or the want of it make any *diminution* from it, in the sight of God. Our ideas of *bastardy* are derived from the former error, and are very consistent with it: we first, without all warrant from scripture, make the woman an *whore*, and then as unwarrantably stamp the name of *bastard* on the issue: whereas the word ממזל denotes the issue of a זונה or *harlot* (ἐκ πορνῆς—say the LXX, *Deut.* xxiii. 2.) who by having promiscuous intercourse with diffe-

rent

rent men, must render the issue *spurious*, and uncertain to *whom it belongs*. For this reason the issue of an *adulteress* is also properly a *bastard*; because if a *wife* gives her person to others besides her *husband*, the issue must be as uncertain to whom it belongs as the issue of an *harlot*.

Nor was a man who, having *one wife*, took another, ever called or reckoned an *whoremonger* or *adulterer*—nor was the woman which he so took called an *whore*, or said to commit *adultery* with the man—nor was the *issue* of such woman by that man deemed a *bastard*;—but the whole was by the *divine law* ratified, confirmed, and deemed *lawful* and *right*, as hath already been shewn at large.

In short, the whole system of our laws, in these respects, is like the systems of the *Scribes* and *Pharisees*, who took as much of God's *law* as suited with their own *traditions*, and rejected all the rest. The passage Mark vii. 9, &c. is very striking—He said unto them, Full well ye reject the commandment of GOD, that ye may keep your own traditions. For Moses said, Honour thy father and mother, and whoso curseth father or mother, let him die the death;—But ye say, If a man shall say unto his father or mother, it is Corban, that is to say a gift (bestowed and devoted by me to the temple-treasury, for the repairs or service of the temple, according to King Jehoshaphat's institution, 2 Kings xii. 9.) by whatsoever thou mightest (otherwise) be profited by me, he shall be

be free; and ye suffer (or permit) him no more to do aught for his father or mother, making the word of God of none effect through your traditions which ye have delivered: and many such-like things do ye. Let us modernize this—Moses said, that if any man (כִּי אִישׁ) entices a virgin not betrothed, and lies with her, he shall surely endow her to be his wife. She shall be his wife; because he hath humbled her, he may not put her away all his days. But ye say, that if a man entice a virgin, &c. and say unto her—"I have not been married by a priest at church, according to act of parliament—" therefore I have no more to do with thee"—he shall be free, and ye suffer him no more to do aught for her, nor permit her to claim him as her husband.

Again, Moses said—If a man have two wives, the one beloved, and the one hated, and they have borne him children, &c. then it shall be, when he maketh his sons to inherit that which he hath, he may not make the son of the beloved first-born, before the son of the hated, which is indeed the first-born. But he shall acknowledge the son of the hated for the first-born, by giving him a double portion of all that he hath; for he is the beginning of his strength, and the right of the first-born is his. But ye say, that if a man, having a wife, marrieth another, such marriage is null and void; that the issue is not inheritable, but shall be bastardized.

Again, Moses said—The man who committeth adultery with another man's wife, even he that committeth adultery with his neighbour's wife,

the adulterer and adulterers shall surely be put to death. But ye say, that if a man hath *two* wives of his own, he shall be deemed a *felon*, and suffer death as *such*—whereas if he *commiteth adultery with another man's wife*, he shall be free:—thus condemning those whom God acquits, and acquitting those whom God condemns, making the word of God of none effect, through your traditions which ye have delivered: and many such-like things do ye.

Still God is a *jealous* God; that is His character with respect to His laws, indelibly written on the sacred page, and awfully manifested throughout the volume of *divine revelation*. So those wretched *Jews* found it in the dreadful destruction which He sent upon them. They could not justify themselves by appealing to their *traditions*, nor repair the dishonour which they had done to the divine law, by vacating its obligations in order to establish their own inventions. However *pious* or *pure* they might seem in their *own eyes*, or in the eyes of those who were deluded into as high an esteem for *human tradition* as they themselves were, yet they found to their cost—and so will every one, sooner or later, who sets up human wisdom against the *wisdom of God*, and *human inventions* against the *ordinances of Heaven*—that *the wisdom of this world is foolishness with God*, (1 Cor. i. 20.) and—that *which is highly esteemed among men is abomination in the sight of God*. Luke xvi. 15.

Happy those whose passions have so little
power

power over them, and those who have so much power over their passions, as to steer clear of all difficulties. But this is not the lot of all. The *apostle*, speaking on this subject, 1 Cor. vii. 7. says—*Every man hath his proper gift of God, one after this manner, and another after that.* So His Divine Master, speaking also on the gift of continency; saith—Matt. xix. 11.—*All cannot receive (ὅς χωρῶσι, do not receive) this saying (viz. it is not good to marry, ver. 10.) save they to whom it is given.* The scriptures shew us, that no one, while in a *body of sin and death*, is out of the reach of temptation: therefore let him that is thinking to stand (ὁ δοκῶν ἐς ἀνῆλθαι) take heed lest he fall. 1 Cor. x. 12. Comp. Gal. vi. 1. Yet when persons are involved in difficulties, by means of any of the things heretofore discoursed upon; let them not consult with *flesh and blood*, and, by following *vulgar error*, under the influences of *superstition* and *prejudice of education*, endeavour to right themselves by *wrong* methods, and be led, under a notion of *repentance*, to act contrary to God's word, and to every principle of humanity, gratitude, truth, benevolence, and even common honesty, by abandoning and forsaking those who have a right to their assistance, comfort, and protection:—Let them, under the guidance of *real* prudence and *sound* discretion, regulate their outward conduct so as to avoid all needless offence; but let the *inward* conduct of the *conscience* be subject only to the *law of God*.

As to the *world*, it loves its own (John

xv. 19.) its own maxims, customs, and inventions, and, above all, its *own* ease, too well to give itself the trouble of enquiring into the foundation on which either what it *believes* or *professes* is built. The *Papist* jogs on with his *Mafs-book*—the *Turk* with his *Koran*—the *Persian* with his *Zendaveſta*—the *Gentoo* with his *Shafter*—the *Chinese* with his *Confucius*—the *Englishman* with his *Marriage-Act*; and nothing is ſo ill received—becauſe nothing ſo attacks the *pride* and expoſes the *ignorance* of one part of mankind, and the *knavery* of another—as the diſcovery of the ſuperſtition, folly, and oppoſition to God, which cleaves to *worldly ſystems*, eſpecially thoſe of the *religious* kind. Still individuals may be profited, and thankful, to be ſhewn, by ſome diligent enquirer after truth, that, in many things, perhaps the moſt important, whereon the preſervation of *millions* may depend, they have been taught to *believe a lye*, and that while they have been following the *opinion* of the world, even of what paſſes (like the *Phariſees*) for the *devout* and *pious* part of it, they have been only *following a multitude to do evil*. Exod. xxiii. 2.

C H A P. X.

Of POPULATION.—*Comparison of the JEWISH
LAW with OURS.*

WHEN we search the scripture, and take an impartial view of the *divine law*, we must acknowledge its harmony and consistency, both with respect to itself, and all things which are the objects of it. It perfectly agrees with its original designs, the glory of God and the happiness of his creatures. In no instance doth this observation appear more true, than in that part of the sacred code which is to regulate the *commerce of the sexes*. The brute part of this lower creation is restrained by a sort of *physical necessity*, which is usually called *instinct*, within due bounds ; so that the several species may be kept distinct, and not create a monstrous confusion from unnatural or improper mixtures ; and though, partly from the inventions and contrivances of men, contrary to the positive law of God—Lev. xix. 19.—animals, both among beasts and birds, have been generated, yet it can go no farther ; it is stopped in the first instance, and no *mule* *
is

* I believe no instance can be produced of the male and female *mule* propagating with each other. As to what *Buffon*, or others, may have said of the *she-mule's* bringing

is known to carry the confusion any farther than itself.

With regard to reasonable beings, it pleased the CREATOR to enact and publish *written laws*, the moral obligation of which, was to circumscribe and regulate their actions. Whether these wise statutes are departed from by those whose infidelity and malicious contempt reject them utterly—or by those who, under a mistaken notion of greater *purity* and *perfection* than they are supposed to prescribe, make themselves *wiser* and *holier* than the divine *Law-giver*—the effect will be much the same, as to the grand objects which these laws are to promote. These are,
1. The *propagation* of mankind. 2. The prevention of *confusion*, and every evil work.

The first general commandment was—*Be fruitful and multiply, and replenish the earth, and subdue it.* Gen. i. 28; which last words, taken in connection with the beginning of the verse, and with what follows, clearly prove, that this command was addressed in an especial manner to the human * species, *then* wholly *in the loins* of their *first parent*. To suppose that every law given to mankind subsequent to this first ordinance, was calculated

bringing forth, I cannot help entertaining great doubt of it, as well as of the *he-mule* engendering with a *mare*; as I never heard of such a thing being attested, on the knowledge of any person whom I have yet met with.

* It is remarkable that this command was repeated a second time, to *Noah* and his sons, with a *blessing* also, on the renovation of the earth after the flood. Gen. ix. 1, 7.

to

to promote it, is certainly consonant with the highest reason, and accordingly we find this to have been the case. *Celibacy* was hardly known among the antient *Jews*, they looked on it with abhorrence, and considered it as a reproach ; and we find, that their whole œconomy, with respect to marriage, all tended to the fulfilment of that promise to *Abraham*, Gen. xv. 5. that his seed should be as the stars of heaven for multitude. *Moses*—Deut. i. 10. —even at their arrival on the borders of *Canaan*, declares this to be the case. Marriage was looked upon as a sacred duty, whose chief end was population, and population as the riches, strength, and blessing of the state. No impediments or difficulties were, therefore, laid in its way—all promiscuous intercourse of women with men, which *Montesquieu* justly styles the bane of population, positively forbidden—the honour of their wives, the chastity of their daughters, were secured by the wisest institutions ; and thus they became populous, prosperous, and happy.

From this scene of things, let us advert to that which is daily before us, since *Christian* churchmen have invented other schemes of marriage, and *Christian* politicians have found out other maxims of population. What swarms of unmarried people fill our capital and counties ! some through caprice and voluptuousness, others through misery and indigence.—Could we form a just calculation of the marriageable of both sexes, who have no thought of altering their condition, and

of those multitudes who live and die in *celibacy*, we should see the true reason why our *fleets* want sailors, our *armies* men—why we so sensibly feel the emigrations of people to our colonies abroad—why we complain of scarcity of people, and see so many thousands of acres lie uncultivated and uninhabited—and why we are forced to have recourse to *foreign auxiliaries* in our days of common danger. The reason of all this is, we have not *people enough*; the cause of which is, that the whole system of our laws is inimical to *population*; whereas the *divine law*—which we have banished, as not *pure* and *holy* enough for *Christians*, but which was sufficiently so under God's own immediate government of His own people—has every ingredient in it, which, were it sufficiently understood and attended to, would remedy all the evils we complain of. There * *luxury* is forbidden, *debauchery*, and all enticements to it, are proscribed, under the severest pe-

* Mr. Coxe—*Sketches of Switzerland*, p. 311.—observes, that *Lausanne*, and the whole *Pais de Vaud*, is much less *peopled* than in the *last* century: This depopulation, says he, “is owing to the encrease of *luxury*, which prevents the gentry from entering into matrimonial engagements so generally as they were heretofore accustomed.”

We may certainly, in a great measure, apply this observation to our own country, and look upon *luxury*, for the same reason, as one cause of our *depopulation*: but more especially when we cannot confine its mischiefs to *one part* of the people, but must consider it as pervading the *whole mass*, from the *highest* to the *lowest* orders of men.

nalties.

nalties. No publications of banns, inconvenient terms of residence, expensive licences, nor human ceremonies, were then invented, as constituting the marriage in God's sight; all stood on the simplicity of the divine institution: the consent of the parties formed the contract, the *union* of their *persons* completed it, and God's blessing crowned the whole. The demands for women in marriage were too great, and the punishment of forbidden lewdness too severe, to leave a portion for the purposes of profligacy and prostitution: whereas, with us, I question whether the numbers of *married women* are greatly beyond those of *barlots* and *prostitutes*, at least in many parts of the kingdom; however this may be, the *married* bear no sort of proportion * to the *unmarried*.

I must confess myself to have but little genius for the science of calculation; but perhaps *Demoivre* himself would not find fault with my supposing, that to every marriage we may allot, on an average, *four chil-*

* For the proportions which marriages bear to births, and births to burials, in several parts of *Europe*, Mr. *Derham* has given us a curious table; from which it appears, that *marriages*, one with another, do each produce about *four births*, both in *England* and other parts of *Europe*. And by Mr. *King's* computation, about *one* in an *hundred and four* persons *marry*; the number of people in *England* being estimated at *five millions and an half*, whereof *forty-one thousand* annually *marry*. See *Chambers*, tit. *Marriage*.

dren. Let us say, that 20,000 * females are, in the space of seven years, rendered *barren* by *prostitution*, who would otherwise, under the sobriety of matrimony, have produced *four children* each. Here is a defalcation of 80,000 people from the community. To these let us add 100,000 more, who, from various causes † unknown to the *Jewish* polity, die *unmarried*, and who might otherwise have produced four children each. Here is a subtraction of 400,000 more. These make together 480,000. Let us suppose all this to happen in *every seven* years, then the average of our loss, in every space of *twenty-one* years, will be 1,440,000. Deduct for casualties of various kinds happening to the children, *two thirds*, and there will remain a loss of 480,000 people to the community in that space of time. Let us carry on this calculation for but *one century*, and the loss will, in that time, amount to 2,400,000 and upwards. This small imperfect sketch will serve to shew why the *Jews* were, in the space of about ‡ 215 years, that
is

* In this calculation I include the whole of *Great Britain*: were it to be extended to *Ireland*, and to the rest of the *British* dominions, it must be very short of the truth.

† Among others, the unlimited power of the men to seduce and abandon women at their pleasure—which must promote *celibacy* in the men, and of course leave an amazing number of females unsolicited in marriage.

‡ The *sojourning* of the children of *Israel*, who dwelt in *Ægypt*, is said (*Exod. xii. 40.*) to be 430 years, but this does not mean that they were so long in *Ægypt*—
for

is to say, from *Jacob's* coming into *Ægypt* with *seventy* souls, to the *Israelites* arrival on the borders of *Canaan*, increased as the *stars in heaven for multitude*—Deut. x. 22.—and why we are complaining for *want of people*. It is true, that the increase of the *Jews*, which, even under the disadvantages of the *Ægyptian* bondage, was so prodigious as to alarm the government (Exod. i. 9, 12.) was by a special blessing from Heaven, in fulfilment of that promise to *Abram*, Gen. xv. 5; but then the means by which this was effected, was their having a law, which respected the *great first command* of the CREATOR—was favourable to marriage, and of course to *population*. Though this law was not reduced to writing till after the *Exodus*, yet enough of it was known by tradition, to check *adultery*, *whoredom*, and all destructive intercourse of the sexes, and thus to promote the interests of *population*. They did not hang people for † *polygamy*, but honoured marriage in all, where God had not forbid-

for they were *strangers in a land that was not theirs* (see Gen. xv. 13.) partly in *Canaan*, partly in *Ægypt* (see Exod. vi. 4.)—It is to be noted, that from the birth of *Isaac*, when the 400 years mentioned in Gen. xv. 13. began, to their deliverance out of *Ægypt*, was just 405 years; if we add to this the 25 years from *Abraham's* coming into *Canaan* to the birth of *Isaac*, the total is 430 years. This, divided into equal parts, makes 215 years in *Canaan*, and 215 years after they went into *Ægypt*.—This is the computation of the *antients*, as well as of the later writers. See *Patrick* on Gen. xv. 13.

† In antient times *celibacy* was rare, *polygamy* almost universal. *Jews* letters to *Voltaire*.

den it. The permanency and unchangeableness of their law, accounts for the permanency and unchangeableness of its effect; the populousness of the *Jewish* nation, is at this hour incredible; if all that are dispersed throughout the globe were gathered together, I doubt whether they would not appear to be as * numerous as at any period of their most prosperous estate.

As for the *Christians*, they sat out on a plan opposite † to all this; they began very early

* The Italian rabbi, *Simon Luzatier*, reckoned up 90,000 *Jews* at *Salonica* and *Constantinople*, and more than a million of them in the *Turkish* dominions. When we consider that there is no part of the world where *Jews* are not found, we may well suppose their numbers to be immense. Vide *Jews* letters to *Voltaire*, vol. ii. 173—176.

† “ *Constantine*, the first *Emperor* under whom the
 “ state forsook the gods of their forefathers, and became
 “ *Christian*, together with this alteration, abrogated
 “ those antient Roman laws, *Julia* and *Papia*, wherein
 “ the desire of women and married life were so much pri-
 “ viledged and encouraged, and single and unmarried life
 “ disadvantaged. Hear it in the words of *Sozomen*,
 “ lib. i. chap. 9. *Hist. Eccl.*—There was, saith he, an
 “ antient law among the Romans, forbidding those, who
 “ after 25 years old were unmarried, to enjoy the like pri-
 “ vileges with married ones; and besides many other things,
 “ that they should have no benefit by testaments and legacies,
 “ unless they were next of kindred: and those who had no
 “ children, to have half their goods confiscated. Where-
 “ fore the *EMPEROR*, seeing those who for *God's* sake
 “ were addicted to chastity and virginity, to be, for this
 “ cause, in a worse condition; he accounted it a folly for men
 “ to go about to increase their kind with such carefulness and
 “ diligence, when as nature, according to *Divine* moderation,
 “ continually receives as well diminution as increase.
 “ Therefore he published a law—that, both those who
 “ lived

early to represent *celibacy* as most pleasing to God, condemned marriage, of course ex-

“ lived a single life, and those who had no children,
 “ should enjoy like privileges with others: yea, he enacted
 “ that those who lived in chastity and virginity, should be
 “ privileged above them; enabling both sexes, though under
 “ years, to make testaments, contrary to the accustomed po-
 “ lity of the Romans. This alteration of the Roman law
 “ by Constantine, EUSEBIUS also witnesseth, lib. iv.
 “ chap. 26. *de vita Constantini*; and again chap. 28.
 “ where he saith, that above all, he honoured most those
 “ that had consecrated their lives to divine philosophy—he
 “ means a monastical life—and therefore he almost allowed
 “ the most holy company of PERPETUAL VIRGINS.

“ That which the fathers had thus enacted, the sons
 “ also seconded, and some of the following Emperors,
 “ by new edicts, till there was no relique left of those
 “ antient privileges, wherewith married men had been
 “ respected; which *Procopius* saith (how rightly I exa-
 “ mine not) was the cause of the ruin of that empire,
 “ which was so much enfeebled and weakened, that it
 “ was not able to match the numerous armies of the
 “ barbarous nations.

“ This was the first step” (he must mean by public
 authority of government) “ of the disregard of marriage,
 “ and the desire of wiving; which was not an absolute
 “ prohibition, but a discouragement. No sooner had
 “ the Roman bishop and his clergy got the power into
 “ their hands, but it grew to an absolute prohibition,
 “ not for monks only, but for the whole clergy: which
 “ was the highest disrespect that could be, to that which
 “ God had made honourable among all men.” *MEDÆ’S*
Works, p. 672.

Nobis & monachis (saith *Chrysostome*, who was made
 Bishop of Constantinople anno 398.) *omnia mandata legis*
sunt communia, ὅταν τε γαμῶν “All the commandments
 “ of GOD’s law are common to us with monks, besides
 “ marriage.” Wherefore in the council of *Chalcedon* is
 an express canon—c. 16.—*Ut nec Deo dicata virgo nec mo-*
nachus nubant.—“ That no nun or monk should marry.”
See Medæ, p. 688.

Such were the saints of Antichrist!
 crated

crated all *second* marriages, found out schemes of *holiness* by which millions of men and women have been lost to the world, and held forth the gospel as inimical to the first great commandment ;—*purity* was to be found in *celibacy*, which they miscalled *chastity*, and *defilement* * in marriage, which they reckoned “ too carnal for the *Christian* dispensation.” The conceits of enthusiasts, the dreams of monks, the sophistry of schoolmen, were enlisted against the ordinance of Heaven, ’till the church of *Rome* made it the object of its *tyranny* † and *ambition*—Protestants, a *creature* ‡ of the *state*—and the great Author of our religion is called in, as an abettor of their monstrous opposition to the divine law. —They have changed His truth into a lye, and have set Him at the head of their || rebellion

* *Epiphanius*, a writer of the fourth century, mentions a set of early heretics called *Severians*, who were so *pious* as to affirm, that, “ woman was the work of “ *Satan*, and that marriage was *diabolical*.”

† Witness *Pope Innocent the Third*’s throwing it into the hands of Ecclesiastics, and establishing ceremonies, without which the contract has long been deemed *null* and *void*. Witness also the prohibiting marriage to the *clergy*.

‡ Witness the stat. 26 Geo. II. for preventing *clandestine marriages*.

|| Witness making *polygamy* a capital felony—citing *CHRIST*’s authority for calling it *adultery*—deeming all *polygamous* contracts null and void—and *bastardizing* the issue, contrary to Deut. xxi. 15—17.

We find the antient legislators and politicians of *Greece* and *Italy* well apprized of what *Moses* has taught us—that the numbers of the people are the *riches of the state*. Therefore every difficulty laid in the way of marriage is, even

bellion against the *holy commandment* once delivered to His people.

Our laws may truly say of *themselves*, as we may say of *ourselves*—*Mutamus in horas*.—As to those which relate to marriage, they have gradually changed from bad to worse, 'till, at last, the *marriage-act* has left little room for any farther mutability of this sort. The letters of *Certain Jews to Mr. de Voltaire*, contain many striking observations on these subjects, and account for the profligacy of *Christian* governments, with regard to women, on principles too sound and true to admit of any fair contradiction. Some of the above observations are extracted from them; and whoever reads those excellent pieces of the learned * *Jews*, will get much entertainment and instruction for his pains; and will find, that *wisdom* and *decency* breathed from the spirit of the laws of *Israel*, as much as *jolly* and *libertinism* are derived from that system which we have established in its stead.

even in a political view; absurd; but how much more absurd in a maritime and commercial *island*, whose opulence and greatness is the constant object of envy to its powerful and ambitious enemies, who have long meditated its destruction! How, humanly speaking, can this be avoided, unless, by encouraging marriage, we promote population, and thus are enabled to recruit our armies, and man our fleets, without stripping the country of its *husbandmen*, *manufacturers*, &c.? Our dependence on foreign mercenaries is precarious, and may be dangerous.

* I speak of them according to the title, but they are said not to be written by *Jews*, but by *M. Guenné*, a learned *Frenchman*.

In

In p. 47. vol. ii. where a comparison is made between the *civil laws of the Jews*, and those of *other nations*, what cutting reflections doth the truth compel the learned writers to cast on the latter! Among others is the following—vol. ii. p. 63.—“ † Our *code* says, “ *There shall be no whore of the daughters of Israel*—all your cities are full of them! “ and if we are to believe your wise men, “ there ought to be public endowments for “ them, and their calling ought to be held “ honourable.” It is true, this is immediately addressed to a *Frenchman*; but if a total stranger was to visit both these *Christian* countries, I believe he would, from the *manners* of the inhabitants, be pretty much at a

† I refer to the English translation of *Dr. Lefanu*, octavo, Dublin, 1777. The editor of these masterly performances is so candid as to own, that the word here rendered *whore*, is קדשה—which properly signifies a *prostitute*, or a woman set apart for *prostitution*, in honour of the *idols* of the heathen. To the shame of human nature be it spoken, there were *prostitutes* of both sexes; which may serve to explain Deut. xxiii. 17. throughout. However, these women followed also the trade of *harlots*, wore a particular dress, and seated themselves in the highways and other places of public resort, to invite the passers by. See Gen. xxxviii. 14, the history of *Tamar*, who disguised herself so as (ver. 15.) to be taken for וונה—an *harlot*, whose trade it was to expose herself for hire (ver. 16, 17, 18.)—at ver. 21. she is called קדשה—a *consecrated prostitute*—which proves what is above asserted, that these women followed the trade of *prostitution* in both senses. These were *heathen* women, and therefore called in the book of *PROVERBS*, *strangers*. See chap. ii. 16. v. 20. vii. 5. No daughter of *Israel* could be either קדשה or וונה on pain of death.

loss to know whether *France* or *England* most espoused such a sentiment, and, of course, to which of *the two* it might, with the greatest justice, be attributed.

As to the second point, the prevention of *confusion*, and every *evil work*. This was secured on the woman's part by the severe laws against *adultery* and *whoredom*, and on the men's part also by the *moral* impossibility they were under, to forsake and abandon the *virgins* with whom they had *once* been *connected*, and thus to expose them to the danger and temptation of those dreadful violations of the divine law; therefore the prohibition was wisely extended to all men alike without exception. I will not repeat here what has been so largely before treated; but only observe, that the banishment of this law, has proved the banishment of decency and good order, to an alarming degree, from among us, and has plunged millions into irrecoverable ruin, who, had they lived under the *morality* of the *divine law*, had been *mothers* of children, instead of *prostitutes* in the streets.

To say that our *blessed Saviour* came to restore the institution of marriage to its primitive obligation, is as true as that He bore His testimony, on the footing of that institution, against all unlawful *divorce*: as true as, that by citing the very *words of union*, which were pronounced at the *beginning*, He shewed what was the mind of God as to the indissolubility of the contract. But where

does He authorize the man who has *taken a virgin*, to put her away? Where does He *deny*, what the very scriptures which He cites *affirm*, that the being *joined* * to her, makes her the man's wife? Where does He *deny* the truth of the Hebrew scripture, by *affirming*, that if a man takes *two women together*, they are not equally *his wives*?—See Deut. xxi. 15. 1 Sam. i. 2. xxv. 43. Where doth He *bastardize the issue*—or consign either of the women to dereliction and ruin, by declaring the latter marriage *null and void*? and yet we plead His sacred authority for all this, as confidently as the *church of Rome* pleads it in defence of their persecutions of *Protestants*, because our LORD once said—*compel them to come in*—with relation to the call of the *Gentiles* into the *Christian church*. Such notions may pass with people who look no deeper than *popular opinion* for the foundation of what they believe; but how it is possible they should pass with *thinking men*, who *search the scriptures*, is only to be accounted for on the score of *prejudice*. Where this can be got rid of, they surely must appear lyes—“*gross and palpable as the father that begat them.*” John viii. 44.

That the populousness of the *Jewish nation* proceeded *merely* or *wholly* from the prae-

* Compare πῶς—Gen. ii. 24; προσκαληθήσεται, Matt. xix. 5; κολλώμενος, 1 Cor. vi. 16; and see before p. 134, note.

rice of *polygamy*, as contradistinguished from *monogamy*, I do not suppose; because the same number of women married each to a different man, is as likely to produce as *many* children as if married all to *one* man, perhaps *more*; but the scandal of *celibacy*, the esteeming *marriage* as a *sacred duty*, and a number of children a *blessing from the LORD* (see Ps. cxxvii. 5. and Ps. cxxviii. throughout) occasioned their eagerness after the marriage-state: add to this, the promise † of the *Messiah*, of whom each woman was led to hope she might be the happy mother. This accounts for the behaviour of certain women, whose desires after children seem very extraordinary. See Gen. xxx. 1, 15, 16. Judges xi. 37, 38. 1 Sam. i. 11. *Barrenness* was a *reproach*, probably from the same cause, and therefore the removal of it was looked upon as a special blessing. Gen. xxx. 23. 1 Sam. i. 27. and ii. 1, 5. The authors of the *Ancient Univ. Hist.* vol. iii. p. 139, observe, that—"though the *Mosaic* law doth not where oblige men to marry, yet the *Jews* have always looked upon it as an indispensable duty, implied in the words—*Be fruitful and multiply*, Gen. i. 28. ix. 1. So that a man who did not marry before he was

† This incentive to marriage, it is allowed, cannot now subsist among us. But still it must be true, that all incentives to marriage, be they what they may, must tend to encrease the number of *married women*, and of course *population*. For this reason *polygamy* must contribute to *population*, as increasing the number of *married women*. See before vol. i. p. 98, n.

“ twenty years of age, was counted accessary
 “ to any irregularity which the young wo-
 “ men might be tempted to for want of be-
 “ ing timely married. They had a proverb
 “ in the *Talmud*—*Who is he that prostitutes*
 “ *his daughter, but he who keeps her too long*
 “ *unmarried, or gives her to an old man?* For
 “ this reason they used to marry them as
 “ soon as they came of age, which, with
 “ them, was at * *twelve*.” The populouf-
 ness of the *Jewish* nation, therefore, most
 evidently arose from the *universality of mar-*
riage, whether *monogamous* or *polygamous*: so
 that there was not to be found, as among us,
 thousands of young marriageable women de-
 voted to *barrenness* for want of *husbands*, or
 consigned to infertility by the mischiefs of
prostitution.

As long as we hold it good *philosophy* to
 say, that “ the same cause will produce the
 “ same effects”—so long will it be true, that
 the reason of the populoufness of the *Jewish*
 nation was owing to the wisdom of their laws
 which concerned the *commerce of the sexes*,

* However matters stood before with us, it is very
 clear, that, since the *marriage-act*, the parties are neither
 of them *sui juris*, as to the disposal of themselves in
 marriage, till the age of 21 years; which, with regard
 to young men particularly, is often attended with bad
 consequences, such as laying them under temptations to
acts, and so to *habits* of profligacy, which in some end
 in ruin, in others in a settled and fixed dislike to the
 sober duties of a married life; and thus many young
 men of *rank* and *fortune* never marry at all. It is, I am
 afraid, too true, that this is daily increasing among us.

and that our *want of people* is owing to our discarding the system of government which the *Jews* lived under in these respects, and establishing another in its place, big with every inconvenience, which that was so exactly calculated to prevent.

We are so overwhelmed with *luxury*, so sunk in *dissipation*, that the expence of a family is looked upon; as it certainly is, under such circumstances, an intolerable burden. The bringing up and maintenance of children is dreaded even by the opulent, because the enormous expence they are at upon their pleasures, reduces them to a level with the poorer sort. This is no uncommon reason for celibacy. Among the *Jews*, the frugality and industry of individuals left no room for such an excuse. Their very *women* contributed to provide for the * children which they

* Which children, as soon as able, contributed to the riches of the family by their labour, and in this sense they were a *blessing* instead of a *burden* . See Ant. Univ. Hist. vol. iii. p. 186. note B. The *Jews* permitted no *drones* in their *hive* . Their maxim was—" *be that will not work, let him not eat* "—Comp. Prov. xix. 15. and 2 Thess. iii. 10.—whereas with us, an increase of children is too often an increase of idleness and extravagance. Witness the crowds of, what we call, the *higher sort of people* , who fill our numerous places of public diversion, *gaming-houses* , &c. the *bankruptcies* among our *tradesmen* , and the shoals of *thieves* , *vagrants* , *beggars* , &c. among the lower orders of men.

It is a remarkable thing, that among other ingredients of ruin to the apostate *Jews*— *idleness* — *abundance of idleness* , was *one* . Ezek. xvi. 49. We do not find that God changed His law, because they had departed from

they brought, and ate not the *bread of idleness*. See a beautiful account of this, *Prov.* xxxi. 10, &c. Whereas, among us, it is no very uncommon thing to hear a person say—"I won't *marry*, because I can't afford it." Every man may *afford to marry*, who is sober and industrious, but certainly none can who are idle and profligate.

The *Jewish* law also, by its severity against *adultery*, inflicting certain death on the *adulterer* and *adulteress*, so checked the evil, that married men had little to fear on that account; whereas, among us, our laws having inflicted no punishment on *adulterers* as *public offenders*, leave the punishment of it to what *Judge Blackstone* well calls, "the feeble coercion of the ecclesiastical courts," which is about as well calculated to restrain it, as the strength of a *pigmy* would be to repel the force of a *giant*; and even this, such as it is, is within the reach * of money to buy off. See 1 *Burn, Eccl. Law*, quarto, p. 663. Hence it is, that this *giant-vice*, with such large strides, marches through our

their observance of it; but maintained its holiness and unchangeableness, in the fearful punishments He sent upon them for their dissoluteness and disobedience.

* About the year 1735, the *Bishop of Chester* actually cited his *commissary* into the *Archbishop's* court at *York*, to exhibit an account of the money received for commutations. *Oughton* says, that "commutation-money is to be given to the poor, or applied to other pious uses, at the discretion of the *Judge*." See *Burn. Eccl. Law*, tit. *Penance*. Also post, *Append. to this Chapter*.

land,

land, and may probably be the means of terrifying not a few from marrying.

Having elsewhere observed the wisdom of the divine laws for the prevention and punishment of *whoredom*, I will here say once more, that our banishment of them from our system of government, is another reason of the alarming frequency of *celibacy* among us.

As for *polygamy*, it certainly was *allowed*, as much as marriage † itself was; to say the contrary, is to deny the whole testimony of the *Hebrew* scripture:—but this was not that wild, licentious, wicked practice of it, which is now maintained at the expence, not

† For which plain and evident reason, it may be concluded, that the several attacks on *marriage*, which the *Christians* have made from time to time, under notions of greater *purity* and *holiness*, are wholly *unjustifiable*, because *unwarranted* by the scriptures. God forbade marriage under certain circumstances, but in no one precept or example did he prohibit *polygamy*, where marriage itself was allowed. Wherefore, I own, I cannot in the least doubt, that the stat. of 1 Jac. chap. 11, which forbids *polygamy* under pain of *death*, is just as opposite to the divine law, as the stat. of Hen. VIII, which hangs a *priest* for marrying *one wife*, as well as the man who should assert it lawful in the sight of God, for a *priest* to *marry at all*. There was a time when it would have given great offence to have found fault with this law of Hen. VIII. just as much as to arraign the propriety of that of 1 Jac. may give now;—but this proves no more than that both are equally absurd—that superstition is always the same—and that men are apt to take their ideas of religious truths, more from custom, and vulgar opinion, than from the word of God.

only of decency, but even of humanity itself, among the *Mahometans*; but a holy and sober use of marriage, circumscribed by holy laws and institutions, in *all* cases permitted, in some *commanded*. And what was the consequence to the state? A numerous issue, which contributed to its riches and strength—the demand for women in marriage increased, and few were left either to be a burden or a disgrace to it. But is this so with us? Our making *polygamy* felony has destroyed * it. — But in what respect are we gainers * by this?—Why, we have gained —what

* * That is, we have abolished the public and open marriage of *more* women than *one at a time*—and thus have we shut *one door*, against the private inexpediency and inconvenience to individuals, which, as things are constituted among us, might accrue in many instances.

But, on the other hand, what has the public gained? for *marriage* is not to be considered as only concerning *this* or *that* individual, or *this* or *that* private convenience or inconvenience, but as respecting the *public*—the *whole* in general. And this, no doubt, the ALL-WISE CREATOR had in view, when—*He blessed them, and said, Be fruitful and multiply, and replenish the earth*—Gen. i. 28. with Gen. ix. 1, 7.—as well as when he framed His LAWS for regulating the *commerce of the sexes*.

Baron Montesquieu observes, and very truly, that “public incontinence may be regarded as the greatest of misfortunes.”—Now, considering mankind, not as what *they ought to be*, but as what they really *are*—what a door to public incontinence is opened, by making it impossible for married men, who seduce virgins, to be under that responsibility towards them which the *divine law* enjoins—Exod. xxii. 16. and Deut. xxii. 28, 29?—by this means *thousands* are turned out friendless and helpless, to public infamy, prostitution, and ruin.

Another

—what *Israel* never saw, till they regarded the divine law as little as we do—thousands of women for the purposes of *prostitution* and destruction, by making it impossible for their seducers to do them that justice, which *reason, nature, and the divine law*, intitle them to demand. This may be reckoned also among the causes of our want of people; for I believe it would not be very hard to prove,

Another door is opened to that most horrid practice (it is so common as to be a practice) of *child-murder*, either by procuring *abortion*, or by *destroying infants* in or after the birth—for concealment, in such cases, has more, much more to plead, than where single men are concerned.

These, and other dreadful appendages of making ourselves more *wise, pure, and holy*, than the God who *knoweth whereof we are made*, are the consequences of an indiscriminate and total prohibition of *polygamy*—so that, whatever we may have gained in point of casual, private, or domestic convenience in one respect, we are losers in point of public, as well as private mischiefs, in *ten thousand*!

If we advert to the scripture, we shall not find a single instance of these things among the antient *Jews*—their law was so framed as to prevent them.—If we attend to the daily evidence of our own eyes and ears, they are frequently happening among us, because *our laws* are so framed as to be the *occasions* of them—and perhaps no one part of our *system* is chargeable with more of them, than our *sanguinary* prohibition of *polygamy*. 1 Jac. c. 11.

To lay a foundation for all this mischief, by charging HIM, who came *not to destroy men's lives, but to save them*, with repealing the *divine law* which was made to prevent it, is an *impious* and *infamous* slander, and its wearing the guise of *purity* and *pisty* makes it so much the worse.

that

that almost every woman, who is driven into common prostitution, is a loss of one *breeding-woman* to the public. *Physical* reasons may be given for this, which I do not chuse to discuss, but which the learned uniformly agree in, and which experience demonstrates to be generally true.

I would therefore conclude upon the whole—that all restraints and impediments with regard to marriage, are equally inimical to *nature, reason, and scripture*—to sound policy and good government, as well as to that which is the strength, riches, and safety of all governments—*an INCREASE of the PEOPLE.*—These are *like arrows in the band of a mighty man.*—Happy we, had we our quiver full of them! we should not be ashamed to speak with our enemies in the gate. Pl. cxxvii. 4, 5.

As a proper conclusion of this *chapter*, let the following *contrast*, between the *divine system* and our *system of human invention*, stand before us—let it bear its own testimony, as to the *advantages and disadvantages* of the *change* which has taken place, and as it may serve to introduce a *parallel* between us and the *Jews*, when they left the plain and simple road of *duty* which their *law prescribed*, and followed their *own imaginations and inventions.*

CONTRAST.

C O N T R A S T.

DIVINE SYSTEM.

Male and female created he them. Gen. i. 27.

And God blessed them—and God said unto them—Be fruitful and multiply, and replenish the earth, ver. 28. ch. ix. 1, 7.

And the rib which the LORD God had taken from man, made He a woman, and brought her unto the man.

And Adam said—This is now bone of my bone, and flesh of my flesh, she shall be called woman because she was taken out of man.

Therefore shall a man leave his father and mother, and shall cleave בבד—be joined unto his wife—and they shall

OUR HUMAN SYSTEM.

To say nothing of the Popish schemes of celibacy, which have been set up against the command of God—let us look nearer home, and consider the numbers of unmarried people among us—one reason of which is, the facility of seduction, and dereliction, as well as the difficulties laid in the way of marriage—for all marriages had and solemnized contrary to 26 Geo. II. c. 33. shall be “utterly void, to all intents and purposes whatsoever.”

And no suit shall be had in any ecclesiastical court, to compel the celebration of any marriage, by reason

shall be one flesh. Gen.
ii. 22—24.

son of *any contract whatsoever*, any law or usage to the contrary notwithstanding.

Therefore—

If a man entice a maid that is not betrothed, and lie with her—he shall surely endow her to be his wife. Exod. xxii. 10.

If a man entice a maid, &c. he shall not SURELY endow her to be his wife.

If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her and lie with her, and they be found—SHE SHALL BE HIS WIFE, BECAUSE HE HATH HUMBLLED HER, HE MAY NOT PUT HER AWAY ALL HIS DAYS. Deut. xxii. 28, 29.

Or if he find a damsel that is a virgin, which is not betrothed, &c. she shall not be his wife, unless he chuses it—though he has humbled her, he may put her away as and when he pleases.

*He that is joined to a woman (κολλημενος) is one body— for two, saith GOD (i. e. who are thus joined) shall be one flesh—*Gen. ii. 24. 1 Cor. vi. 16.

Nothing shall make her his wife but marriage - ceremony administered by a *priest*, by *banns* first published, or by *licence* first had and obtained in some *parish church* or *chapel*, &c. or if elsewhere,

If

If a man have two wives, he shall not make the son of the beloved first-born, before the son of the hated, which is indeed the first-born.

But he shall acknowledge the son of the hated for the first-born, by giving him a double portion, &c. Deut. xxi.

§5—17.

If a man be found lying with a woman married to an husband, then they shall both of them die. Deut. xxii.

22.

So if with a betrothed virgin, &c. ver. 23, 24.

In Israel, while these laws were observed, we read of no adulteries for many centuries together.

No

elsewhere, by special licence from the Archbishop of Canterbury.

If a man, having a wife, marry another, living the first, he shall be deemed a felon, and suffer death as such. The second marriage be utterly void, and the issue bastards and uninheritable.

If a man lie with other people's wives, he is no object of criminal judicature.

If a man lie with a betrothed virgin, he is not even liable to an action for damages, she to no penalty whatsoever on account of her situation.

Among us, the abolition of the ~~divine~~ system has been attended with daily adulteries, which have increased

No street-walkers,
whores, and common
prostitutes—no me-
dicines taken to pro-
cure *abortion*—no
child-murder—no ve-
nereal* disease, infect-
ing

increased the more, as
mankind have felt the
privilege of *impunity*.

Our streets are filled
with *prostitutes*, our
brothels also with *bar-
lots*; *abortion* is sought
after, *child-murder* is
frequent; the vene-
real disease rages like a
plague,

* This horrible disease is supposed to have made its first appearance in *Europe* in the year 1493; but some have thought it of much older date, even in this country, from a constitution of the *stews*, antiently kept at the *Bank-side*, *Southwark*, under the jurisdiction of the *Bishop of Winchester*, dated 1162, where it is supposed to be called *burning* or *brenning*. It is also supposed to be mentioned in a manuscript of *John Arden*, surgeon to *Rich. II.* and *Hen. IV.* Many have contended for its being known among the *antients*, only under different names: Some have gone so high as the days of *Job*, and suppose it to be the ulcerous distemper with which that great man was afflicted; insomuch, that in a *Missa* printed at *Venice*, anno 1542, there is a *mass* in honour of *St. Job*, to be said by those recovered of this disease (See *Chambers*, tit. *Venereal Disease*) as owing their deliverance to his intercession. Others contend that *David* was afflicted with it, as a punishment for his sinful commerce with the wife of *Uriah*, and this he complains of *Pf. xxxviii. 3—8*. But, omitting *fable* and *conjecture*, it is certain, whether we interpret that passage literally with some, or *allegorically* with others, it contains something like a description of this disease, as to many of its symptoms.

However this may be; one thing may, I believe, be asserted as a fact, established by long experience, that this disease has never been known to exist; but from a promiscuous intercourse of the sexes.—This will produce something very like it even in *brutes*—therefore I can see

ing and destroying
the people.

plague, to the de-
struction of thou-
sands.

Their *population* was
almost incredible.

Our *depopulation* is
alarming.

P A R A L-

see no reason against dating its origin as early as com-
mon *whoredom* itself, as the same cause may very fairly
be presumed to produce the same effects, though not
perhaps in equal degree, nor at all times and places
alike.

If we understand the word *מבישה*—*she that maketh
ashamed*, or is an *instrument of shame* (Prov. xii. 4.) to
denote an *harlot* or *common prostitute*—for of such it may
be a very apt and descriptive *periphrasis*, and especially
as the root *בש* signifies *to be ashamed through a sense of
guilt* (see *Parkh.* sub voc.) and in this sense an *harlot* is
מבישה—an *instrument of shame* to those who are joined to
her (see 1 Cor. vi. 15, 16, 18.)—therefore I say, if we
understand this passage of an *harlot* or *common prostitute*,
how many men can at this moment bear testimony to
the truth of what is here said!—whose bitter experience
must lead them to subscribe to the words of Ps.
xxxviii. 3. *who have no rest in their bones by reason of
their sin*—who have to mourn that those bones are *rusti-
ness* itself—and, as *Virgil* expresses himself on another
subject—

Truncas inhaerescit vulnere nares.

But whether the scriptures above-mentioned, or any
other parts of *holy writ*, do, or do not, allude to the symp-
toms of the *disease* in question, or whether it was or was
not known in *Europe* till the year 1493 (a very able and
learned discussion of both which points may be found in
Astruc, de Morb. Ven. lib. i. chap. 1—10.) surely a
restoration of that *law* is to be wished for, which is con-
trived by infinite wisdom—*Concubitu prohibere vago*—thus
to prevent *prostitution*, and, of course, every dreadful
consequence of it to mankind.

“The shameful, loathsome, and often fatal disease”
(says the late excellent Dr. *Hartley*, *Obs. on Man*,
p. 229.)

P A R A L L E L.

When the *Jews* forsook the law which God set before them, *obeyed not His voice, nor walked therein, but walked after the imagination of their own heart.* Jer. ix. 13, 14.

Then they fell into all manner of *spiritual* and *fleshly* abominations.

They then committed adultery, and assembled themselves by troops in the *barlots houses*.

They were as fed horses in the morning, every one neighed after his

We see, in this *Christian* country, the same cause producing the same effects.

As the *DIVINE LAW* is laid aside for a *system* of *human imagination*—all manner of *lewdness* overspreads the land, under the various forms of *adultery* and *whoredom*—and no doubt helps to fill the measure of our *national iniquity*.

Surely this is a time for our deepest and most serious recollection, when God seems to be visiting our *iniquities* upon us, not

p. 229.) “ which peculiarly attends the vice of lewdness, may be considered as a most unquestionable evidence of the *divine* will. This disease, with all its consequences, would cease among mankind, could they be brought under the restraints of *marriage*, but must ever continue while *licentiousness* continues.”

To this I will venture to add, that, *licentiousness* ever must continue, and even increase, while the *divine laws*, which are made to prevent and restrain it, are laid aside.

his neighbour's wife.
Jer. v. 7, 8. Jer. xxiii.
10, 14. & al. freq.
See Ezek. xxii. 9,
10, 11. Hosea iv. 14.

*Shall I not visit for
these things, saith the
LORD, shall not my
soul be avenged of such
a nation as this?*

Jer. v. 9.

not the *least* of which,
is forsaking the LAW
which He hath set
before us, with re-
spect to the *commerce*
of the sexes, and fol-
lowing a *system* which,
in the nature of
things, must lead us
into the very state in
which the *Jews* were,
when the *prophets*
were sent to call them
to *repentance*, or to
foretell their *destruc-*
tion.

APPENDIX to CHAP. X.

See p. 262, Note.

IT may not be amiss to lay before the reader
the doctrine of *penance* and *commutation*
as to their original, and then it will be seen
how disgraceful such notions are to an en-
lightened Protestant church. *Theodore* of
Tarsus, a Grecian monk, restored among the
Latins the discipline of *penance*, as it is com-
monly termed, which had been for a long

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T

time

time almost totally neglected, and enforced it by a body of severe laws borrowed from the *Grecian* canons. This zealous prelate, who was raised to the *see of Canterbury*, A. D. 668, reduced to a regular science that branch of ecclesiastical law, which is known by the name of *penitential discipline*. He published a *Penitential*, which was entirely new to the Latin world, by which the *clergy* were taught to distinguish *sins* into *various classes*, according as they were more or less heinous, private or public. This new *Penitential* also contained the methods of proceeding with respect to offenders, and pointed out the various *penalties* that were suitable to the different classes of transgressions. This new discipline, though of *Grecian* origin, was eagerly adopted by the *Latin* churches. Its duration however was but transitory, for in the *eighth* century it began to decline, and was at length entirely supplanted by, what was called, the new *canon of indulgences*, in which the *bishops* and *clergy* began to trade in the *twelfth* century, when the universal reign of ignorance and superstition was dexterously, but basely, improved to fill their coffers, and to drain the purses of the deluded multitude. All the various ranks and orders of the *clergy* had each their peculiar method of fleecing the people.

The *bishops*, when they wanted money for their private pleasures, or for the exigencies of the church, granted to their flock the power of purchasing the *remission* of the *penalties*

nalities imposed upon transgressors, by a *sum of money*; which was to be applied to certain religious purposes; or, in other words, they published *indulgences*: which became an inexhaustible source of wealth to the *Episcopal* orders, and enabled them, as is well known, to form and execute the most difficult schemes for the enlargement of their authority, and of the external pomp and splendor of the church.

When the *Roman Pontiffs* cast an eye on the immense treasures, which the sale of these *indulgences* brought in to the *inferior rulers* of the church, they limited the power of *bishops* in *remitting the penalties imposed on transgressors*, and assumed, almost entirely, this profitable traffic to themselves. In consequence of which, *Rome* became the general magazine of *indulgences*; and the *Pontiffs* in order to supply their coffers, published, not only an universal, but also a complete, or, what they called a *plenary* remission of all the *temporal* pains and penalties which the church had annexed to certain transgressions.

Afterwards they proceeded farther, and not only remitted penalties which the civil and ecclesiastical laws had enacted against transgressors, but audaciously usurped the *divine prerogative*, and impiously pretended to abolish even the punishments of the next world; a step this, which the *bishops*, with all their pride and presumption, had never once ventured to take.

Such proceedings stood in need of a plausible

fible defence, but this was impossible. To justify, therefore, these scandalous measures of the *Pontiffs*, a most monstrous and absurd doctrine was invented—"that there actually
 " existed an immense treasure of *merit*, com-
 " posed of the pious deeds and virtuous ac-
 " tions which the *Saints* had performed be-
 " yond what was necessary for their own sal-
 " vation, and which were therefore appli-
 " cable to the benefit of *others*—that the
 " guardian and disposer of this *precious trea-*
 " *sure* was the *Pope*, and therefore he was
 " empowered to *assign* to such as he thought
 " proper, a portion of this inexhaustible
 " source of *merit*, suitable to their respective
 " guilt, and sufficient to deliver them from
 " the punishment * due to their crimes."

This horrible superstition is retained and defended in the church of *Rome* to this day! it was happily banished from *England* at the *reformation*; pity but the former sort of indulgences had followed it out of our *church*! but they are still retained, under the more plausible, but more explicit term of *commutation*, which signifies *changing one thing for another*, as the punishment of *sin* for *money*. Though therefore *indulgences* and *commuta-*

* *Bellarmino* says of these indulgences, that they extend as well to the high *forum*, or tribunal of our *Saviour* CHRIST, as to the internal *forum*, or court of *holy church*; that they even profit the *dead*, and avail them by way of satisfaction or application. See *Abf. of Hist. of Popery*, vol. i. p. 173. quarto, 1735. and *Bellarmino*, de *Indulg.* Lib. i. c. v. p. 28, 31.

tions differ in name, they entirely agree in their nature. Their being given, or pretended to be given, to *pious uses*, no more salves the offence of taking * such money, than a *certain lady's* giving, or pretending to give, her *winnings* to the *poor*, atoned for her playing at *cards* on a *Sunday*.

Whatsoever these things may be called, they are certainly *judicial absolutions*, and such as never were heard of in the *Christian* church till *Popery* introduced them. See *Mosheim*, vol. i. 327, 595. edit. *MacLaine*.

That there were censures on offenders against religion and good manners in the *apostolical times*—such as *private admonition*, 2 *Theff.* iii. 15.—*public rebuke*, and even of a *sharp kind*, *Tit.* i. 13.—*rejection* for obstinate heresy, *Tit.* iii. 10.—and even *excommunication* itself for grievous and scandalous offences, (1 *Cor.* v. 1—5.) is most evident; but I should imagine, that if a sum of money had been offered to buy off the censures

* To make laws for the punishment of offences, and then to waive or suspend their execution, for a sum of money paid by the offender, and especially where such laws are made on no better principle than with a view to such extortion—which I take to have been chiefly the case with respect to the laws of *penance*—may bring to one's mind *Virgil's* account of one of the tormented in *Tartarus*; concerning whom he saith—*Æn.* vi. l. 622.

———— *Hic fixit leges pretio atque refixit.*

He made, and unmade, laws for gold.

Which sufficiently shews even an heathen's sentiments of such a practice.

of the church, the *offerer* would have been answered as *Simon Magus* was—*Thy money perish with thee, &c.* Acts viii. 20.

See 13 Edw. I. stat. 4. commonly called the statute of *Circumspecte agatis*; and 9 Edw. II. stat. 1. c. 2. and c. 3.

See also before, vol. i. p. 64, n. and *Burn. tit. Penance.*

CHAP. XI.

CONCLUSION.

HAVING thus far finished what I had to say on the foregoing subjects—which are not of an indifferent or trivial nature, but of the utmost importance for every body's consideration—it may be proper, by way of *conclusion*, to recapitulate, and to commend what has been said to every man's conscience in the sight of God. 2 Cor. iv. 2.

While our laws are what they are, and suffer men to take *virgins* into their possession, and then put them away, not all the devices of *human wisdom*, nor the most strenuous efforts of the most disinterested and best-contrived plans of *reformation*, can have any

any greater effect on the mischiefs which they would remedy, than a few buckets of water taken out of a *river* would have upon the *stream*. The *water* would soon *unite* again, and flow on with the same apparent *fulness*. So, though a few *prostitutes* may be taken from among the countless *herd*, and some of them so reformed as not to mix with it again, yet no apparent diminution meets the eye, no lessening of their numbers strikes the observation. The *brothels* were full—they are full—the streets were infested with *prostitutes*—they are still infested with them as much as ever—there is no more difference as to *numbers*, than there is in an *army*, from whence an *hundred* soldiers are discharged, and an hundred fresh recruits are listed in their room. The man who thinks it can ever be otherwise, as *our laws* with respect to *marriage* now stand, may go with *Horace's* rustic to the brink of a *river*, and expect that it will run itself dry.

——— *At ille*

Labitur & labetur in omne volubilis ævum.

It still flows on, and will for ever flow.

FRANCIS.

If an expedient could be found to dry up its *source*, and thus stop it at the *fountain-head*, the *streams* must cease, and the *bed* of the river become *dry ground*. So if a law be devised which can prevent *seduction* and *dereliction*, and thus stop *prostitution* at its remo-

test apparent causes, the thing itself must cease.

This has not been left for the invention of man, he never could have been equal to the task.—The ALL-WISE GOD Himself, who could alone be possessed of *wisdom* and *authority* sufficient for this, hath done it. His law delivered to *Adam at the beginning*, and afterwards in more explicit terms to *Moses at Mount Sinai*, stands as a record of the *divine mind and will*, and, if duly observed by mortals, is adequate to the prevention or remedy of all the *moral evils under the sun*, among the rest, the dreadful and destructive evil of *prostitution*.

This law has been disregarded, a *system* very different from it has been set up in its place. This *system*, being of human contrivance, must of course oppose itself to the law of GOD—for *His ways are not our ways, nor His thoughts our thoughts*. Is. lv. 8. In short, that which GOD hath *bound*, man hath *loosed*. The *obligation* which is created by GOD's own *fiat*, must now give place to the inventions of men, which declare GOD's *ordinance of marriage null and void*, unless ratified by * man's authority. What are the *righteous* consequences of all this? Misery, ruin, desolation.—Let men but keep clear

* “ As if the links of that eternal chain, whose beginning is in the breast of the FIRST CAUSE of all things, could ever be disunited by the institutions of men !” Essay on Crimes and Punishments, ch. xvi.

of the *human ceremony*, and they may bid defiance to the *divine institution*. The lewd, the designing, the merciless and cruel, are turned loose upon the *female world*, to make what ravages they can. *Seduction* precedes, *violation* follows, *dereliction* comes next, and *prostitution* closes the monstrous iniquity! Shame and disgrace attend the *divine institution*, honour and reverence await the *human ordinance*! Thus MAN IS EXALTED—GOD DESPISED! This is attended with the most fatal consequences to thousands, whose *protection* is provided for and secured by the laws of GOD, and whose *ruin* is invited and insured by the neglect of them.

What an alteration would it make in the regions of *profligacy*, was the whole entire law of GOD to be observed? If no man, let his *situation* be what it might, *could entice a virgin*, &c. and not *surely endow her to be his wife*? This in every case whatever? What a security would this be to the *lower order of females*, on which the licentiousness of the *higher order of men* usually falls the heaviest? It is hardly to be imagined that men of *family* and *fortune* would pay their *addressees*, or rather lay their *snare*s, where the accomplishment of their desires must be attended with an *union*, unsuitable in all respects to their rank in life. This would force them early to match themselves with their equals; they would not gratify their lust at the expence of their pride, and we should not see so many victims of lust, treachery, and cruelty,

elty, filling the *brothels*, and walking our *streets*, till disease conveys them to an *hospital*, and from thence to the grave: cut off and lost to the public in the bloom of youth; when, had the *protection* which the *law of God* hath ordained for them, been afforded them by their *seducers*, they might have been happy in themselves, and blessings to society.

Nor does the rejection of God's *law*, by the substitution of man's *inventions*, confine its mischief even within the dreadful bounds above-mentioned, it extends itself even to *murder*, and that of the most foul and unnatural kind, that of *infants* by the hands of the *mothers who bare them*. As something else than God's ordinance is required to make parties *one flesh*, persons who are actually married in God's account, are under no *legal* obligation to each other. The *unhappy mother* of what is called a *bastard-child*—though as really *married* to the *father* of it as *Rebekah* was to *Isaac*, or *Leah* and *Rachel* to *Jacob*—is placed in such a light by the *superstition* of the world, as to make her prefer an act of barbarity, which her own *bowels must yearn at*, to the treatment which it is the custom * of the world to bestow upon her.

* “ The murder of bastard children is the effect of a
 “ cruel dilemma, in which a woman finds herself, who
 “ has been seduced through weakness, or overcome by
 “ force. The alternative is, either her own infamy,
 “ or the death of a being who is incapable of feeling
 “ the loss of life. How can she avoid preferring the
 “ last

her. *Fear* unsheaths the fatal instrument of death, and *shame* plunges it into the vitals of the *helpless innocent*. The wretched *mother* (for concealment seldom covers the offence of *murder*) is apprehended, and by the hand of justice consigned to the pain and ignominy of a public death.

The father of the child looks upon himself as *free*; no outward ceremony had passed, and the tragical end of his *gallantry* deters him not from endangering a like scene of horror, with respect to the next woman he can *seduce*.

GOD'S law arrests the man on his first intercourse with the woman, and pronounces them *one flesh*, so that he cannot forsake, or *put her away all his days*. Were this observed, and that deemed a *marriage*, which GOD hath made so, the woman could be under no *temptation* to *such* an act, or to any * other, than that,

“ last to the inevitable misery of herself and her unhappy infant? The best way of preventing this crime would be effectually to protect the weak woman from that tyranny, which exaggerates all vices that cannot be concealed under the cloak of virtue.

“ I do not pretend to lessen that just abhorrence, which these crimes deserve, but to discover the sources from whence they spring; and I think I may draw the following conclusion—That the *punishment of a crime cannot be just, that is, necessary, if the laws have not endeavoured to prevent that crime by the best means which times and circumstances would allow.*” BECCARIA, Crimes and Punishments, chap. 31.

* Here I mean to include the frequent, though horrible, and, to many, fatal practice of taking medicines to cause *abortion*. That this, in a *moral* sense, is a species

that, which the law would put in *her power*, that is to say, making the man do her the *justice* which it is now so amply in *his power* to *refuse*. From what has been said, let the *reader* revolve in his mind every species of injury and *female* ruin, which he ever heard of, red of, has seen, or can conceive, and he will find that it has all originated from the abolition of the *divine laws*, which so

species of *murder*, there can be no doubt, which was severely punished by the divine law. See Exod. xxi. 22, 23. There indeed the case is put of injury arising from only accidental violence to the woman; yet, even there, if it occasioned the *death* either of the mother or *the child*, if *quick*, it was a capital offence. *Life* was to go for *life*. The word נֶפֶשׁ—which we translate *mischief*, comes from the root נָפַח—which signifies to *pour out as water*; and as a noun, נֶפֶשׁ—*effusion, diffusion, dissipation, dissolution*.—*Ar. Mont.* renders it by *Mors*—*death*. Comp. 2 Sam. xiv. 14. In the translation of the LXX, or rather their paraphrase on this place of *Exodus*, they distinguish between the παιδίον μὴ ἐξεννοισμένον, *the child not formed*, and ἐξεννοισμένον—*formed*, or, as we may say, between the *embryo*, which is *inanimate*, and the *fœtus*, which, being full formed and *animated*, may be said to be capable of *losing life*.

The frequent *abortions* which are procured by medicines, no doubt fall within the reason of this law.

But when we take into the account, the numbers of *women*, who, by the use of medicines to cause abortion, have destroyed *themselves*, as well as the *children* within them, and thus have died, under the *double guilt* of *SUICIDE* and *CHILD-MURDER*, it ought to fill us with horror, to think that a *system*, which, in the very nature of it, must afford numberless *temptations* to this, and be productive of frequent *instances* of it, should be the *system* of a people who profess a belief of *DIVINE REVELATION*, wherein the causes of such mischiefs are provided against by the *wisdom* and *goodness* of the *CREATOR HIMSELF*.

amply

amply provide for the security of women, and from the introduction of those human inventions, which have turned *marriage* into a mere *civil contract*, for in no * other view does our *municipal law* regard it, thus *vacating* obligations which God hath made, and *laying* obligations which God hath not made.

As for appointing certain outward acts, rites, or ceremonies, for the public recognition of the *marriage* as to *civil purposes*, these are in the breast of the state to ordain or alter, as may seem most expedient ; but as to *marriage* itself, it neither being ordained *of* men nor *by* men, but *of* and *by* the God of Heaven, no power on earth can change or alter it. It is no more within the jurisdiction of man, or the power of mortals, to do this in a *moral* sense, than it is, in a *natural* sense, to change the rising of the sun, or stop the flowing of the tide. For the same reason that a child is completely and perfectly baptized, without the *sign of the cross*, or without *godfathers* and *godmothers*, a man and woman, whose *persons* are united, are completely and perfectly *married in the sight of God*, without any human ceremony whatsoever ; that is to say, because this is no part of God's *ordinance* of marriage, therefore cannot be *essential* to the perfection of it as *in his sight*.

It is therefore truth, even the *truth* of God, that no man can receive the person of a

* See before vol. i. p. 65.

virgin into an union with his own (supposing her not betrothed to another man) without her becoming his נִשְׂא—woman or wife—*sa femme*—from that moment. This law is as general as it is absolute; though exceptions of betrothing or espousals are made on the part of the woman, no such thing appears on the part of the man: therefore, whatever his situation may be, it makes no difference—having taken the woman and HUMBLED HER, he may not put her away all his days.

That this law * involves polygamy, so as even to command it, and therefore to make it a duty, where the man is married who takes the virgin, is evident from the very terms in which the law is conceived: If a man—must mean † any man—every man who does so. The liberty which commentators have taken with this text, in order to accommodate it to their own prejudices, is an instance of that sort of construction which the Papists make use of in the understanding of τίμιος ὁ γάμος ἐν παντί—Heb. xiii. 4.—Marriage is honourable in all: that is, say they, in all things, not in all men; for the Rhemists say, on 1 Cor. vii. 9. that “the marriage of priests is the worst sort of incontinency, and fornication, or burning.” Thus we speak of polygamy,

* Deut. xxii. 28, 29.

† As in ver. 22. If A MAN be found lying with a woman married to an husband—here וְנָשָׂא אִישׁ אִשָּׁתוֹ—if a man—must be understood without limitation or restraint, as to the situation of the adulterer—so doubtless of the seducer at ver. 28.

with

with just as much ground from God's word. We can condemn the *liberty* which the *Papists* take with one part of the scripture, little adverting to *that* which * we have learned from *them* to take with *others*.

Had *polygamy* been permitted on the side of the *woman*, the most material part of the sacred history must have lost its evidence: as no *genealogy* could have been preserved with the least certainty, it could not have been proved beyond a doubt that CHRIST is the *Messiah*, of the seed of *Abraham*, and of the *house and family* of *David*, to whom the promises were made; consequently, that He is the *prophet which was to come, and we are to look for no other*. *Matt. xxii. 42.* and we must have been asking, in another sense than OUR LORD himself did—*What think ye of CHRIST, whose Son is He?* This fatal stroke to all our hopes must have been the consequence of a precarious issue. In a more private view of the matter, all modesty, decency, order, inheritance, relationship, and every bond of society, must have been broken asunder; whereas, on the *man's side, polygamy*

* N. B. I could wish that some of my learned and ingenious readers would favour me with a poetical translation of the following elegant *apologue* of PHÆDRUS.

PERÆ DUÆ.

Peras imposuit *Jupiter* nobis duas:

Propriis repletam vitiis post tergum dedit;

Alienis ante pectus suspendit gravem.

Hac re videre *nostra* mala non possumus:

Alii simul delinquant, *censores* sumus.

is not attended with any of these things: what the wickedness and vileness of men have introduced, must be looked upon as *abuse* and *perversion*, but are no more * arguments

* To argue against any thing from the abuse of it, is the most unfair of all methods of refutation. There are no absurdities, and indeed no lengths of *impiety* and *blasphemy*, into which, by such means, we may not be carried.

We may even dispute the *wisdom* and *holiness* of the CREATOR in making the human species of different sexes—in ordaining the means of *increasing* and *multiplying* the human race, by the union of the *male* and *female*—in implanting, for this purpose, a desire towards each other—for if all this had never been, *adultery*, *fornication*, and *whoredom*, could not have existed:—Nay, we may carry the argument so far, as to conclude against the *divine wisdom* and *holiness* in the *creation* itself—for if this had never been, no evil, either *moral* or *natural*, could have ever been known. See vol. i. pref. p.

Let us go a little farther, and we shall get into *scepticism*—and from thence into *atheism*—like those

—— who tread the high *priori* road,
And argue downward 'till they doubt of God.

POPE.

In 1536, Archbishop *Cranmer*, who was projecting the most effectual means for a reformation of doctrine, moved in *convocation*, that they should petition the *king* for leave to make a translation of the *Bible*. But *Gardiner*, and all his party, opposed it, both in *convocation*, and in secret with the *king*. It was said, that all the *heresies* and *extravagant opinions*, which were then in *Germany*, and from thence coming over to *England*, sprang from the *free use* of the scripture: and whereas in the *May* last year, nineteen *Hollanders* were accused of some *heretical* opinions, for which opinions fourteen of them were burnt in pairs in several places; it was complained, that all those drew their *dammable errors* from the indiscreet use of the scripture. And to offer the *Bible* in the Eng-
lish

ments against the thing *itself*, when used according to God's regulation and disposition of the matter, than the *murders and massacres* by the Heathens of *old Rome*, or by the *Papists* of modern *Rome*, are to be reasonably urged (as they have been falsely by infidels) against the truth of the *gospel*. Had not *polygamy* been allowed to men, the provision made for the protection and defence of the *weaker sex* had been deficient; whereas God's law hath made it *complete*, and no man upon earth can, on the footing of *that law*, plead his *situation*, either as a *privilege* or a *disability*, against providing for, maintaining, and protecting as a *wife*, any or every woman whom he may chuse to *seduce*.

list tongue to the whole nation, would prove the greatest *snare* that could be. See *Burnet Hist. Ref.* vol. i. p. 195, second edit.

Whoever reads with attention this excellent and entertaining *history*, will see what reliance the *Papish party* had on this mode of argumentation against the *Reformers*, their *writings*, and indeed against the *Reformation itself*. The great Sir *Thomas More*, in his writings, exercised all his dexterity in exposing the *ill consequences* that could follow on the doctrine of the *Reformers* Ibid 356.

Assuming certain prejudices as true, and thence drawing *conclusions*, which rest singly on such prejudices, is not only *unfair*, but is one of the meanest and most despicable *sophisms* that error can have recourse to. It is that sort of *deceit and imposition*, which "imports the
" misrepresentation of the qualities of things and actions
" to the common apprehensions of men, *abusing* their
" minds with false notions; and so, by this artifice,
" making *evil* pass for *good*, and *good* for *evil* in all the
" great concerns of life." *SOUTH's Sermons*.

That God should establish this *security*, by the positive laws which have been so often mentioned—and *that* in all cases where the woman was *free*—that it should be so uniformly and openly maintained, for so many ages together, in the practice of the *best people*; and then, all of a *sudden*, it should be found out to be against the *primary law* of marriage, a sin against the *seventh* commandment, and that which was a *moral duty* by Exod. xxii. 16. and Deut. xxii. 28, 29. should be a damnable *sin* under the *gospel*—is either to suppose the world so much *better* than it was before, and therefore no *such law* any longer *needful*—or that a *law-giver* came under the New Testament to oppose the *law-giver* under the Old Testament, and to set mankind free from their allegiance and obedience to Him. The former of which suppositions is not *true* in point of *fact* any more than the latter—our own senses may convince us of the *first*, and CHRIST's own declaration, that He *came not to destroy the law* (*καταλῦσαι*, to demolish or loosen its obligation) may assure us of the *second*. Urging that CHRIST has altered the law of the Old Testament, by forbidding *polygamy*—which was, in all cases where *marriage itself* was *lawful, allowed*, and in some instances positively *commanded*—is only saying, in other words, that he lessened that *security* which the weaker sex have against the stronger, and facilitated the *ruin* and *prostitution* of women, by cutting off a considerable part of that *protection* which the

the law of God afforded them, and which He so strongly maintained in His whole dispute with the *Pharisees* on the subject of *divorce*, in no one part of it more strongly than Matt. xix. 9. the very *verse* which *superstition* has so long taught men to quote for an opposite purpose; for there He shows that *all divorces* (except what He had before excepted, ch. v. 32.) are absolutely forbidden.

So far as we believe God's law, so far *must* we believe that if a man (*having a wife*) *entices a virgin, and lies with her*, this *last* shall SURELY be *His wife*, as much as the *first*; and it would be equally criminal to *abandon her* as to *put away the first*. For saying this, I appeal to the whole *Bible*, from beginning to end. There are many instances recorded of men's taking a *second* to a *first*, but not one where such a thing was either forbidden, or where the *second* marriage was declared less *valid* than the *first*, or the *first* looked upon as a ground of *divorce* from the *second*, any more than the *second* was a ground of *divorce* from the *first*.

We have run into much confusion on the subject of *marriage*, by the terms *husband* and *wife*. The ideas which custom hath taught us to annex to them, have superseded the *scripture-definition* of that relation, and have substituted another, which is not to be found in the *Bible*. Our notion is, that when a man and woman have been at a church, and had the *matrimonial* service read over them, and the ceremonies therein contained ob-

served, they are *man* and *wife*; not other-wise: whereas the scripture has no *specific* name for the relation, as *husband* and wife*—but a *man* and *his woman* איש ואשתו. When a man took a *virgin*, she became *his woman*, i. e. his *property*, not by any outward ceremony, but by the surrendering *her person* into his *possession*; this, either *anticipatively* by promise or *betrothing*, or *actually* by *carnal knowledge*, where no *betrothing* or *espousal* went before; this, and this *only*, made them *one flesh*—this did, and it *ever* must have the same effect in the *sight of God*; for *He changeth not*. As she was called אשתו—*his woman*, by his having the *possession* of her *person*, in a sense exclusive of *all other men*, so in the same sense *he* was called אישה—*her man*—ιδιος ἀνὴρ, (See vol. i. p. 217—222.)—the man so *appropriated* to her that she could give herself to no other. This was so in all cases; the woman who gave *her person* into

* The author hath, notwithstanding, used the terms *husband* and *wife* throughout this whole treatise, in compliance with our translators of the scripture, and as the most concise way of expressing the *marriage-relation* which our language is acquainted with. However, so far from implying that none can be *man* and *wife*, but those who are joined by some outward ceremony administered by a *priest*, the words איש ואשתו are used to denote the pairing or coupling together of *brute animals*. See Gen. vii. 2. where we have translated them—the *male* and *his female*. Mont. *Virum & uxorem ejus.*—ἀνδρα καὶ θήλυ. LXX.—See before vol. i. p. 43.

So VIRGIL—*Vir gregis.* Eclog. vii. l. 7.

And HORACE—*Olentis uxores mariti.* Lib. i. Ode xvii. 7.

the

the *possession* of a man, whatever the man's situation might be, could not go to *another*, nor could the man *put her away all his days*. Were this so with us, it would be as difficult to find a *brothel*, or even a *prostitute*, as it was in *Israel*, while these things were observed and kept.

That the laws of Exod. xxii. 16. and Deut. xxii. 28, 29. would sometimes be attended, in their execution, with no small inconveniences in the case of *married* men, must be allowed—but what are the *worst* of these which can be supposed, when put in competition with the tremendous and horrible mischiefs of seduction and prostitution, either to individuals or to the public? The *man* has it in his own option whether he will incur the danger of the former, God has graciously provided in his *law*, that the *weaker sex* shall not * be exposed to the latter.

As to the murder of *bastard children*, as they are called, an attempt was made some years ago to prevent this, by the charitable and well-meant institution of the *Foundling Hospital*; if I recollect aright, this very purpose is mentioned, either in the *king's charter*, or in the *petition* which preceded it.—I wish not to *remember*, much less to *repeat*, least of all to *enlarge* upon, the mischief which ensued to the lives of children, from the evil practices of those who were to convey them

* See before, p. 159—161.

to the *hospital*; this from all distances, at a time when the tenderness of their age made them unable to support the fatigue of *jolting waggons*, &c. by which means many died on the way:—suffice it to observe, that not one *murder*, of the sort above mentioned, could probably be prevented by the plan of this *charity*; because, in order to have the child conveyed to the *hospital*, somebody must be trusted with the *secret*, as the unfortunate mother can hardly be supposed in a condition to carry it herself, and these *murders* are always committed that the *secret* may not be divulged. Did the *law of God* prevail, that which no human contrivance can effect, would be done; such intercourse as we call *whoredom*, in *contempt* of God's *law*, and in *honour* of a *human* * *ceremony*, would be deemed, what the scriptures deem it, a *marriage*, and the *magistrate*, as in *Israel*, at the woman's request, might compel the man to a *public* recognition of it, in any manner which should be required by the *state*.

Something like this once prevailed in the kingdom of *France*, as appears by a passage in

* I should imagine that the following *sylogism* cannot be denied.

Nothing can be of the essence of marriage in God's sight, but that which he hath himself ordained and revealed as such in his word.

But—No outward marriage-ceremony, as essential to marriage in his sight, hath God ordained and revealed in his word.

Therefore—No such ceremony can be of the essence of marriage in God's sight.

the *Causés Célèbres*, published 1777 at *Paris*, wherein one of the *advocates*, in *Cause LXXVII.* says,—“ On condamnoit autrefois les jeunes
 “ gens qui abusoient de la faiblesse des filles,
 “ sous promesse du mariage, a etre pendus ou
 “ a les épouser.”—“ Formerly young men,
 “ who abused the weakness of girls under
 “ promise of marriage, were condemned, ei-
 “ ther to be *hanged* or to marry them.”
 This was something like reverence to the law of God; for though that does not say what the punishment was to be, in case the man refused to comply with the law which said *He shall surely endow her to be his wife*—yet if such a case had happened, and *Moses*, as in the case of the man who gathered sticks on the sabbath (*Numb. xv. 32.*) had consulted God by *Urim* and *Thummim*, he probably would have received the same answer; disobedience to a commandment so emphatically delivered would scarcely have met with a milder punishment in this case than in the other. However, we may with certainty pronounce that death would have been the consequence on the wilful and obstinate offender, as it appears to have been a capital offence to despise the sentence of the judges, (*Deut. xvii. 11, 12.*) and they must have passed sentence according to law.

But the *French* as well as ourselves are improved in their manners, therefore the said advocate adds—“ Depuis on s’est relâché de
 “ la severité de cet usage, & l’on s’est con-
 “ tenté de les condamner a doter ces filles,

“ ou a leur donner de dommages interêts.”
 “ —Since then we have relaxed from the
 “ severity of that custom, and content our-
 “ selves with condemning them to give
 “ portions to these girls, or to pay them
 “ damages.” So amongst us, a woman may
 bring an *action* on a breach of *promise* of *mar-*
riage ; but then *actual promise* must be prov-
 ed, or she will be nonsuited. This there-
 fore does not reach the original cause of the
 evil complained of. God does not make
 an *actual promise* of *marriage* necessary, Deut.
 xxii. 28, 29.—but the man *lying with the*
woman was to be considered as a *marriage*,
 and as such ought to be enforced under the
 severest penalties.

The *French advocate* farther saith—that
 this giving a portion, or pecuniary damages
 —“ est le seul parti qui reste, lorsque le
 “ seducteur est marié—“ is the only * thing
 “ that remains, where the *seducer* is already
 “ a married man.” So speaks *human wisdom*
 —but not so the *law of God* ; that made not
 the least difference as to the *situation* of the
 man, though it so expressly does as to that
 of the *woman*. *Portioning* such a woman out
 to marry another man, would have been *caus-*
ing her to commit adultery, as she was the wife

* The cause in question was instituted against a *mar-*
ried man who had gotten a young woman with child ;
 and ended with the DEFENDANT'S being condemned to
 pay the *plaintiff* 400 liv. damages—to take the whole
 charge of the *child*, as to its maintenance and education,
 upon himself—and to pay the whole costs of suit.

of the *first* man, by *that act* which made her *one flesh* with him. The man who married such an *unjustly-divorced* woman, would also be *guilty of adultery*. It might seem strange to go into an house, and to see a man with *two wives*; but this would be much better than to go along the street, and see a *number* of young women perishing with disease and filthiness, some of them because the men *would* not, others because they *could* not, marry them.

I have been lately informed, that by the laws of *Switzerland*, though *polygamy* is not tolerated there, yet if a single man gets a girl with child, he is obliged to marry her, be his rank in life what it may: Here is at least a *partial* remedy against *child-murder* and *prostitution*; but then it must be observed, that it is only just *so far* extensive as it agrees with the *divine law*.

The *Jews* are more *righteous* and *merciful* in the respects above mentioned than *we Christians* are; for the law of God is, as far as their difficult situation will admit, observed in all cases of this kind; and if any man refuses to submit to it, he is put under sentence of *excommunication*; which, as they have no public government, is the utmost which can be done. On conversing with a gentleman who is a *Jew*, on this subject, he told me, that some time ago a rich young *Jew* at *Amsterdam* seduced a poor *Jewess*, who was a servant-girl: she insisted on his *publicly* marrying her, which he refused.

She

She complained to the *synagogue*; who summoned him to appear before them, that they might enquire properly into the fact. Finding it true, they sentenced him to *marry* her publicly. He would not—urging the difference of his rank from her's; but this plea was not allowed, they urged the *law of God* against him; but he continuing obstinate in his refusal, they excommunicated him. He applied to some of the *States of Holland*, that they would interfere; but they refused it, saying—"the *synagogue* had a right to enforce their own laws." I asked the *gentleman*, with whom I was conversing, "what would have been the case if this young man had been before *married* to another woman *then living*?"—he answered—"* Just the same—for by the law of *Moses*, no man can take a *virgin*, and afterwards abandon her at his pleasure." So that the very *Jews* may shame us *Christians* for the little respect we pay to the *preservation* of the *female sex*, or to those *laws of Heaven* which were made to insure it! Our saying that the SAVIOUR of the world (whom we call *Lord and Master*—and *in this we say well, for so be*

* As the *Jews* conform to the *laws* of the countries where their lot is cast, they do not use *polygamy*, where it is not the custom of the part of the world where they live. Therefore, in this latter case, a *public marriage* could not be meant; but, as I have been since informed, "the man would be obliged to *maintain her as his property, as long as he lived*." And that "if he were not able to do this, he would be stigmatized with the *forty stripes*." See Deut. xxv. 3.

is—John xiii. 13.) came to set *those laws aside*, is only going a step farther out of the *way of truth*, and into the *way of abomination*.

I would observe, that if the young Jew above mentioned had lived in the days of *Moses*, he would not have come off so cheaply as with a bare excommunication, but *death* had also been the consequence of his contumacy. (Deut. xvii. 11, 12.) On which I cannot omit remarking—that what God positively commanded to be done in *all cases*, *we Christians* do not enforce in *any*—nay, by the *marriage-act* we have absolutely prohibited—that “any suit shall be instituted to
“compel a marriage *in facie ecclesiæ*, by rea-
“son of *ANY CONTRACT* of matrimony
“*WHATSOEVER*.” So that *single men* are absolutely released from all enforcement of the *divine law*—and as for *married men*, they are prohibited, on pain of *death*, to do what, under God's *own government*, they would on pain of *death* have been compelled * to.

Here we find an adequate cause of female ruin, prostitution, and misery! corrupt human nature is left to itself, uncontrouled,

* *Calixtus*, a writer of the 17th century, in his treatise *de Legibus*, saith very truly—

Nulla lex humana potest prohibere, quæ lege divina, sive naturali sive positiva, fuerunt mandata; neque mandare quæ fuerunt prohibita.

“No human law can prohibit those things which by the divine law, either natural or positive, were com-
“manded, nor command what was prohibited.”

unchecked

unchecked by the power of God's positive precepts, unpunished for an avowed rebellion against them. To say that we have laws to take up a poor *street-walker*, and send her to *Bridewell*, is only saying that we have laws to make the *miserable* still more *miserable*, and the *profligate* more *profligate*; for in those places of confinement, they help to corrupt each other, and they usually come forth more *abandoned* than when they went in. It is a sad remedy which increases the disease. All these things considered, can it be otherwise than that *adultery* should *increase*, in defiance of God's law, when we have not a single *statute* to enforce *that law*? that *whoredom* and *fornication* should *abound*, when the *only* method of preventing them is utterly laid aside, though prescribed and enjoined by the God of *Heaven*?—To punish a poor deserted creature for being a *prostitute*, when it is put out of her power to force her *seducer* to provide for her as the *divine law* enjoins, is equally cruel and foolish: not very unlike the man who threw his child into a ditch, and then beat him for being dirty.

I pretend not to the gift of *prophecy*; but without that, only by comparing *effects* with their *causes*, and weighing in the balance of reason and common sense *circumstance* with *circumstance*—unless recourse be had to the remedy which God hath provided in his *law*—I may venture to pronounce (as all evil is of a progressive nature, the more so the less check is given to it) that all our well-meant

schemes

schemes of *reforming prostitutes*, and all our absurd and severe methods of *punishment*, will end just where they began; only with this melancholy difference, that for *one reformed* we shall find *twenty seduced*, and for *one reclaimed* by punishment, an *hundred* will be made the worse. I fear we shall have to say with *Seneca* — de Benef. l. i. c. 10. *Hoc majores nostri questi sunt, hoc nos querimur, hoc posterius nostri querentur, everfas esse mores, regnare nequitiam, in deterius res humanas & in omne nefas labi.* “ This our ancestors have
 “ complained of, this we *do* complain of,
 “ this our posterity *will* complain of—that
 “ morals are overturned, that wickedness
 “ reigns, that human affairs go from bad to
 “ worse, and fall into all manner of im-
 “ piety.” Or with *Horace*,

*Ætas parentum, pejor avis, tulit
 Nos nequiores, mox daturos
 Progeniem vitiosiorum.*

“ More vicious than their fathers’ age,
 “ Our fires begat the present race,
 “ Of actions impious, bold, and base:
 “ And yet, with crimes to us unknown,
 “ Our sons shall mark the coming age their own.”

FRANCIS.

I cannot close the foregoing observations better, than by inserting a very affecting illustration of their truth, which appeared in the *General Advertiser* of Oct. 16, 1778.

“ Mr.

“ Mr. EDITOR,

“ Seeing a *very young girl* wandering
 “ about the streets late in the evening of
 “ yesterday, I was induced to ask her—whi-
 “ ther she was going? She told me that an
 “ officer encamped at *Coxbeath* had, about
 “ a fortnight since, stolen her away from
 “ her friends at *Rochester*, and carried her
 “ by force to his *marquée*, where he de-
 “ bauched her; and after having kept her
 “ about a week after he had satisfied his li-
 “ centious inclinations, he had sent her to
 “ *London* with a *guinea* in her pocket, to
 “ get her living as she might. This wan-
 “ ton act of barbarity so affected me, that I
 “ could not refrain from cursing aloud the
 “ author of it, in the most vehement man-
 “ ner, as I walked home.

“ How much more does this cruel de-
 “ stroyer of innocence deserve the discipline
 “ of flagellation, than a poor deserter! I
 “ hope the officer who has thus taken from
 “ a young girl that recommendation, with-
 “ out which she will find it difficult to earn
 “ an honest livelihood, is not quite so nearly
 “ related to the Devil, as to suffer this un-
 “ happy victim to seek her bread by *prosti-
 “ tution*.”

How far the case, as above stated, may be
 true, I will not pretend to say; but could
 we know *every thing* of this sort which daily
 passes in the world, we should find much
 reason

reason to credit the facts in this letter. Many men there are, whose rank, and education, and fortunes, as well as their personal endowments, might intitle them to the affections of the most respectable and exalted of their own degree in the female world, with whom they might be the *happy husbands* of *happy wives*, who, devoting themselves to the indulgence of their appetites, lay out all their time and substance to inveigle and betray the lowest of the *other sex*, and then serve them as the *officer* above mentioned is represented to have served the *poor girl*. Sooner than fail, they will employ their mean dependents to be their *factors*; and numbers there are, of *both sexes*, who actually live upon the spoils of *female innocence*.

The *judges of Israel* would have saved the poor girl from destruction, by forcing the *officer* to a public recognition of his *marriage* with her, on the facts appearing to them as they are stated.—But he lives in a *Christian country*—he is *free*—the poor helpless girl irremediably undone! so are thousands and *tens* of thousands on the same principle.

By abolishing the connected, wise, and salutary laws of God, relative to the *commerce of the sexes*, and setting up a law of man's device in their place, the strongest barrier which words can form, for the preservation of the *weaker sex*, is thrown down; the strong holds of *female security* are razed to
their

their very foundations ; and the following *mischiefs* are *apparent*.

1. *Adultery* has not any punishment to stand in dread of from our *penal* laws, therefore we can be at no loss for its bare-faced appearance, and increase beyond the example of former times—for *evil* of all kinds is of a progressive nature.

2. There being no obligation on men to marry the *virgins* they *seduce*, thousands of helpless girls are enticed, seduced, and abandoned at the pleasure of their *SEDUCERS* ; by which means the *brothels* and *streets* are filled with *harlots* and *prostitutes*.

3. These poor creatures, grown hardened and desperate in the ways of sin, are, in their turns, the *seducers* and debauchers of the young and heedless of the *other sex* who may fall in their way.

4. A *disease* little better than a *plague*, which *Providence* has seemed to set as a brand of *infamy*, as well as punishment, on the forbidden and promiscuous *commerce of the sexes*, spreads its *poison* far and wide, to the destruction of *thousands*.

5. *Depopulation* must, in its degree, ensue—not only from the ravages of the *venereal disease*, among young persons especially, of *both sexes* ; but numbers of such females as would otherwise be *breeding women*, enervated by *prostitution*, rotted by *disease*, and consigned to the *grave* in the very bloom of youth, drop, like withered blossoms from the tree,

tree, leaving no fruit behind. Should they for a few, or even for many years, be able to withstand the assaults of intemperance, so as to survive them (which here and there may be the case of *one* * in an *hundred*) yet, *barrenness* and *prostitution* are so usually connected, as to make it amount at least to improbability that such women should ever breed.

6. Another source of *depopulation* must arise from the temptation which men are under to a *single life*, from finding an easy way of gratifying their appetites—without the burden and care of a *wife* and *family*—either with women whom they can *seducer*, and leave at their pleasure, or by a small sum purchasing the favours of those who have been *seduced* and abandoned by other men. This is one grand incentive to *celibacy* on the side of the men, and a reason why so many young women, however beautiful and deserving they may be, pass on to old age neglected by the other sex, and die unmarried.

7. By putting an *human ceremony* in the place of the *divine ordinance*, and men being under no obligation to *marry* the women they *seducer*, *whoredom* and *fornication* must increase, in proportion to the numbers of *profligate men*, who chuse to gratify their

* Usually most of these turn *bawds*, and make it the great end of their *professional industry* to live by keeping *brothels*, not only for the reception of young women already ruined, but for the inveigling and drawing into ruin, numbers of unwary and deceived females.

passions at a cheaper rate than the charge of a *wife* and *family*, and to indulge their love of *variety* at no greater *trouble* and *expence*, than may be incurred by the *seduction* of *youth* and *innocence* among the lower order of females.

8. By representing *polygamy* as a sin, the word of God is discarded as the *only rule of faith*—the *wisdom* and *holiness* of his *positive laws*, for its *regulation*, called in question—a very considerable part of the *security* which they afford the *weaker sex*, *destroyed*, and of course the seducing, abandoning, and prostituting women, by *married * men*, greatly facilitated. Vouching the authority of CHRIST, as forbidding *polygamy* under the notion of *adultery*, is a misrepresentation of his *prophetic character*, like that of *Cerintus*, who taught that—“Jesus opposed the God of the *Jews*.”

9. By stamping *infamy* on the only *institution* and *ordinance* of *marriage* which God

* More especially by those who are under divorces *a mensa & toro*, or, from some unhappy differences, are for ever separated by mutual agreement, which are far the greater number of the two, and who are exposed to all the temptations of a *single life*, without having it in their power to use the appointed remedy against them.

Forbidding such men to *marry*, is as unscriptural, unauthorized, and dangerous a tyranny over the rights and consciences of mankind, as the *Pope's* forbidding the marriage of the *clergy*.

It may however be observed, that those who are divorced “by sentence in the ecclesiastical court,” are not liable to the pains and penalties of Jac. I. c. 11; from which it should seem, as if the *statute law* tacitly admits of such marriages.

ever appointed or revealed, and denying its *obligation* without the super-addition of an *human ceremony*, which was first made essential to *marriage* by a *Pope of Rome*, the *murders* * of new-born *infants* have been and are frequently occasioned, and, by this means, the *deaths* of many women by the hands of the public executioner.

10. Numbers of children are destroyed, as well as women, by the wicked practice of taking medicines to cause abortion.—To this may be added,

11. The many instances of *female suicide*, which have happened in the unspeakable moments of distress and desperation, when pregnant women have been basely † deserted by those

* Mr. Guthrie, Geograph. Gram. p. 185, edit. 1776, in the account of the *religion* of *Scotland*, says—"It is said, that even that relic of *Popery*, the obliging *fornicators* of both sexes to sit upon what they call a *repenting-stool* in the church, and in full view of the congregation, begins to wear out; it having been found, that the *Scotch women*, on account of that *penance*, were the greatest *infanticides* (or murderers of infants) in the world." See also *Memoirs of Cranstoun*, p. 31, 32.

† A recent instance of this was in one of the public prints, about the latter end of July 1779. "A young woman at —, in *Essex*, was lately found drowned in a pond. The occasion of this rash action was her being deserted by a gentleman in the neighbourhood, by whom she was pregnant." Many such instances may doubtless be found in the annals of human misery!

The *Morning Chronicle*, of *November 12, 1779*, furnishes us with a record, which, though almost enough to freeze the very blood of the humane reader, I cannot omit on this occasion.

those who ought to have become their protection and defence, and thus exposed to infamy and ruin—defenceless—helpless—hopeless!

Such

“ On the 31st ult. one *Hannah Hoggarth*, of the township of *Hawsker cum Stainsker*, in the parish of *Whitby*, in Yorkshire, was delivered of a male bastard-child alone. On the 2d inst. her neighbours, suspecting she had been so delivered, prevailed on the officers to get a surgeon and man-midwife to examine her; who, on the 3d, went to her house, examined, and talked to her about such her delivery, which she, at first, denied; but on a closer examination, she said she had a miscarriage, which being dead, and very small, she burnt; and would then confess no further. On the 5th instant the same persons went and examined her again, when she confessed she had been delivered alone of a boy, who crying very much, she, to avoid a discovery, took an axe, with the broad end of which she several times struck the infant on the head, and thereby greatly crushed and fractured his skull, and with the sharp end she endeavoured to cut off its head; that having thus killed the child, she laid it under the bolster of a bed in the room where she lay, until the evening, when she got up, took up one of the flags of the floor, and underneath it buried the child; where it was, by her directions, found, and the coroner made acquainted therewith, and summoned a jury, who met last Saturday afternoon, and, on examination of the witnesses, found that the said *Hoggarth* had murdered her child in the manner above related. Soon after the jury had left the place, she took an opportunity, in the absence of the person set to watch her, to HANG HERSELF, and was quite dead before it was discovered.”

Whence arose this double tragedy?—From the same source which must account for all things of the same kind—that is to say, from the fooleries of *priestcraft*, first set on foot by Pope *Alexander the IIIrd*, and gradually brought into an *article of faith* by the superstition and credulity of mankind. We read of no such thing happening

Such are the effects of *worldly systems*—such the fruits of the inventions of those who would make themselves *wiser* and *bolier* than the God *who made them*! Nor can any thing put a check on the prevalence of such calamities, but a restoration of the WHOLE—UNIFORM—CONSISTENT—and * BENEFICENT LAW OF GOD. This, and *this* alone, is a remedy against *adultery*, and *whoredom* in all its forms. Long and sad experience has shewn us that all *other schemes*, whether of *prevention* or *remedy*, are vain and chimerical, and can no more stop these evils, than *Jeroboam's* discarding the law of *Moses*, and setting up the *calves* in *Dan* and *Bethel*, could secure the *kingdom of Israel* to himself and family.

Nothing can be more pernicious to the pursuit and investigation of truth, than supposing the *antiquity* of an opinion is a certain proof of its *solidity*, or that the *universal* reception of, or veneration for, a *doctrine*, is a conclusive argument of its *truth*. We have but to travel into *China* or *Japan*, *Mexico* or *Peru*, or into any other idolatrous countries,

happening in *Israel*; the motives of *fear* and *shame*, which drove this poor creature to such desperation, could not exist, but under those circumstances of *infamy*, which the tyranny of custom has annexed to certain *actions*, without any warrant or foundation from that law, by which we must *all be judged at the last day*.

* Grotius saith well—*Lex divina* HEBRÆIS data, *ut omnis virtutis, ita & humanitatis magistra*. “The divine law given to the *Hebrews*, is as well the sovereign of all *humanity* as of all *virtue*.” De B. & P. lib. ii. c. 19.

§ 4.

X 3

and

and we shall find the most horrible and monstrous forgeries that *Satan* himself can invent, all depending on the *antiquity* of their establishment, the *universality* of their reception, as well as of the *veneration* which is paid them. Let us not think that we are by *nature* wiser than the inhabitants of those countries—we are all the children of one man, the naturally-engendered offspring of fallen *Adam*.—He that giveth to all life and breath, and all things, hath made of one blood all nations of men, for to dwell on all the face of the earth. *Acts* xvii. 25, 26. The human mind, like the human nature, is in all men and in all places alike. *Prov.* xxvii. 19. Were the people who are born in *Mexico* born among us, they would not be worshippers of the idol *Vitziputzli*; were we born among them, we certainly should. The mind of fallen man, having no *innate ideas* of *divine things*, is impressible by the *first that offer*, and as he grows up, these grow up with him. Hence the *Bramin* is as much wedded to the adoration and * worship of *Vishnou*,
as

* The force of custom and education is seen in all countries, in *civil* as well as *religious* matters—" Let a
 " *Hottentot* be well daubed from head to foot with *soot*
 " and *grease*—let him be equipped too with a sheep or
 " wild-beast skin upon his shoulders, and adorned *a la*
 " *mode de son pays*, with *trinkets*, and he will strut with
 " as much affectation and parade as the vainest *European*
 " in the most sumptuous habit—the noblest robes, the
 " richest and most glittering brocades, all the beauty
 " and magnificence of the *European* attire, fall infinitely
 " short, in the eye of a *Hottentot*, of the *grandeur* and
 " attractions he fancies there are in the full dress of his
 " own

as a *Papist* is to the adoration and worship of the *Virgin Mary*. The only difference between them is, that the blind *Heathen* has been taught his *religion* by those who have *no revelation*, and the ignorant *Christian* has been instructed in *his*, by those who have perverted and abused the *revelation* which God hath given them. Such is the human mind—so fallen, so lost to the possession and love of truth—that it will suffer itself to be led blindfold into the acknowledgment of propositions as *true*, which even the outward senses demonstrate to be *false*! Witness the absurd, unprofitable, self-contradictory notion of *transubstantiation*, whose *antiquity*, and *universal reception* and *veneration* in the church of *Rome*, have prevailed on men to relinquish the demonstration of their outward senses, and to embrace a *lye*, though it bears its own detection upon the face of it.

“own country.” *Kolben*, vol. i. p. 264. The custom and education of the *Hottentot*, and those of an *European beau*, are the only causes of any difference between them, and why the one is scenting his locks with essenced pomatum and powder, the other with *sheep's fat* and *buchu*—why the one is fighting after a mistress in silk and brocade—why the mouth of the other waters for the *tripe* and *guts* on the *legs* of his dear *TOTTA*.—See *Prior's Alma*, Canto II. Now all this does not happen from human nature's being different in different parts of the world, but from its being the *same every where*; therefore *every where* duped alike by *custom* and *education*. The same principle of *vanity*, which would lead an *European* to be pleased, with being told, that he was the best-dressed man in the *drawing-room*, would make a *Hottentot* plume himself on being the best *greased* and *footed* man in the whole *kraal*.

The credulity of the *human mind* was hardly ever more plainly evinced, than by an experiment which was tried upon the *public* about thirty years ago:—A certain noble *Duke* was conversing on this subject with some company at his own house, and said—
 “ He was certain that no absurdity could be
 “ proposed, which mankind would not be-
 “ lieve. I dare say,” continues he, “ that
 “ if it was advertised in the papers, that at
 “ one of the *theatres* a man would get into a
 “ *quart-bottle*, the house would be crowded.”
 This was thought to be carrying the matter too far. “ No,” said *his Grace*, “ if you
 “ will promise to keep my counsel, I will
 “ try the experiment.” Accordingly it was announced in one or more of the papers, that “ at such a *theatre*, on such an evening,
 “ a man, with all his *cloaths* on, would
 “ come on the stage, get into a *quart-bottle*,
 “ and there play several *tunes on the German*
 “ *flute*.” The evening arrived, the experiment succeeded, the house was full from top to bottom; numbers tried to get places, but were forced to go away for want of room. The company waited patiently a considerable time, at last they grew noisy, and called, but in vain, for the *artist*; then they began to be angry and riotous, insisting on a return of their *money*, which they had *paid at going in*; this was equally vain, the *offices* were all locked up, the *receivers* decamped with a large sum, which, it was said, was afterwards distributed among some public charities.

If

If the human mind is capable of such impositions as these, in things wherein the *outward senses* must be supposed to be competent judges, what must it not be capable of believing, where spiritual and invisible things are the objects proposed to it? more especially when those objects are presented before it under the venerable guise of piety and religion, and are recommended to its observance by the authority of *usage, custom, and law?*

That there should be a set of people who could persuade themselves that "marriage is a carnal thing, which, though allowed to the *Jews* under the Old Testament, is unlawful * for *Christians* under the New Testament"—that there should be *others*, who, though they "allowed marriage for once to be lawful, yet condemned *all* second marriages as only a more specious and decorous kind of *whoredom and adultery*"—that others should, in the very face of the scripture, hold *polygamy* to be a damnable † *sin*, and even punish the having *two wives*

* See *Broughton*, Hist. Lib. tit. Marriage.

† In *N. Brent's* translation of *Palano's* Hist. of the Council of Trent, p. 784, are to be found the following anathemas:

1. Against him that shall say, that matrimony is not one of the *seven sacraments* instituted by *CHRIST*, and doth not confer grace.
2. Or that it is lawful for *Christians* to have *many wives* at once, and that this is not forbidden by any law of *GOD*.
3. Or that only the degrees of *affinity* and *consanguinity*

wives at once, which the scriptures do *not* condemn, more severely than the *defiling* the wives of other men, which the scriptures *do* condemn

nity expressed in *Leviticus*, may nullify the marriage, and that the church may not add others, and dispense with some of them.

4. Or that the church cannot constitute impediments, or hath erred in constituting them.

5. Or that ecclesiastics in *holy orders* may marry, as also all those who find they have not the gift of chastity, or that shall prefer the state of marriage to virginity and chastity.

6. Or that the prohibitions of marriage in certain times of the year is superstition, or shall condemn the benedictions and other ceremonies.

I have selected these *synodal* determinations of that famous *Popish* council, that the reader may be apprized of the origin of systematical opposition and contrariety to the divine law. *Ab inferis ad Romam, a Româ ad nos.* As to the matter of *polygamy*, I cannot, from the history of those times, have the least doubt of its being branded with a CURSE on such as should assert its "not being contrary to the law of God," in order to make *Luther*, *Zuinglius*, *Bucer*, *Melancthon*, and the other reformers, the more odious in the sight of the world, they having given this as their opinion, in the business of *Philip Landgrave of Hesse*.

I the more readily believe this, because many of the most celebrated *Popish* writers, as *Durandus à St. Portian*, in the 14th century—*Alphonsus Tostatus*, Bishop of *Avila*, in the 15th century—and particularly *Cardinal Cajetan*, who disputed with *Luther* at *Augsburg*, in the 16th century—do confess—that "a plurality of wives is lawful, according to the divine law, and that it hath no indecency in it by the law of nature; but it would be lawful even to priests, unless prohibited by the discipline of the church"—*Jure divino uxorum pluralitatem esse licitam, idque naturali jure nullam habere indecentiam quin & sacerdotibus hoc licitum fore, nisi ecclesiastica prohiberentur disciplina.* *Cardinal Bellarmine* acknowledges the same—*Lib. 1. De Matr. c. 10.* See before, p. 82. n.

Rainold

condemn to capital punishment—that the whole legislative body of this kingdom should determine it to be *against the law of God* that a clerk in orders should marry; that this should be made felony, in both parties, as also in those who should only maintain it to be lawful:—that all these things should gain such an ascendancy over the minds of men, as, in their turns, to be believed as so many solemn truths of religion, affords, surely, reason enough for every thinking man to be upon his guard, and to examine well into the foundation of things before he makes them articles of his creed.

When the holy scriptures are applied to in a partial and desultory manner, words taken out of sentences—sentences from the entire text—texts wrested from the context—the context from the rest of the scriptures, and then the sound of the words detached from their sense—matters are still made worse, the deception is strengthened by the supposed authority of scripture, and Error, having counterfeited the seal of Truth, thus commends itself to the minds and consciences of men.

A little before our blessed Saviour left this

Rainold de lib. Apoc. tom. i. prælect 4, expressly saith
 —“Cajetanus asserit pluralitatem uxorum nusquam a
 “DEO prohiberi, adeoque Paulum, cum episcopum vetet
 “habere plures uxores, reliquis concedere.” “Cajetan
 “asserts, that a plurality of wives is no where pro-
 “hibited by God. And therefore Paul, when he for-
 “bids a Bishop to have a plurality of wives, grants it
 “to others.” See before, vol. i. p.

world,

world, He *thus* prayed for His disciples—(not for them only, but for them also which should believe on Him through their word—John xvii. 17, 20.) Sanctify them through Thy truth, Thy **WORD IS TRUTH**. Whatever contradicts that WORD must be a lye, for no lye is of the truth. 1 John ii. 21. However sacred these lyes may have become, by people's espousing them as truths, under notions of purity and holiness, yet are they of their father the Devil, who, when he speaketh a lye, speaketh of his own, for he is a liar, and the father of it. John viii. 44. Whatever will bear the test of the Hebrew scripture, must be true—but if it will not bear this, we may be certain it is false, however it may be dignified with the opinions of the learned and pious, or come recommended to us under the sanction of the highest human authority. I much question whether *superstition* and *error* owe their ascendancy over the minds of professing *Christians* to any thing more, than to detaching the Old and New Testaments from each other, and thus looking upon the latter as an entire new system, unconnected with, and independent on, the former. Whereas, in truth and in fact, the New Testament owes its whole importance and glory to the Hebrew scriptures; it is entirely built upon them; we therefore find a constant reference to them throughout the whole New Testament, *Search the scriptures, they testify of Me*. John v. 39.—For if ye had believed MOSES, ye would have believed Me, for he wrote of Me; but

but if ye believe not his writings, how shall ye believe My words? John v. 46, 47. Here, by the way, I would ask, how it is possible to conceive, that OUR LORD should appeal to the *writings of MOSES* for the truth of what he spake, if *his words* essentially differed from them? *They have MOSES and the prophets, let them bear them*—Luke xvi. 29. And in that exquisitely fine apology of *Paul* before *Agrippa*, Acts xxvi. he declares, that he said nothing in his public ministry, but what *MOSES and the prophets did say should come to pass*. As we find some of the books of the Old Testament refer to others preceding, so do we find the New Testament referring itself for its authority to the Old Testament; which shews, that *both together* form one connected scheme, one uniform plan of *divine wisdom and truth*. The *gospel* in the Old Testament, and the *gospel* in the New Testament, differ only as the *shadow* of a man upon a wall differs from the *image* of the same person seen in a *glass*; we see the representation of the *same* identical person in *both* cases, only more distinctly and plainly in the latter. *The law had a shadow of good things to come, not the very image of the things*. Heb. x. 1. But under the New Testament, *we all with open face* (the veil of the typical dispensation being removed) *behold, as in a glass, the glory of the LORD*. 2 Cor. iii. 18.

It is ever to be remembered, and therefore cannot be too much or too often inculcated, that though the *Bible* consists of different

ferent *books*, written at different and distant *times*, by different *penmen*, yet one and the same truth pervades the whole; one uniform *design* appears; nor is there, throughout, the least appearance of a departure from it;—the reason of which is, that the AUTHOR is *one*—his WILL is *one*—and therefore his WORD is *one*:—the least real contradiction, inconsistency, or variation, must destroy the authority of the *whole*, and leave the *infidel* in full enjoyment of his triumph over the credibility of the scripture.

If this was more attended to and considered, people who profess themselves to be *friends of revelation*, would be very cautious of granting its enemies their favourite arguments of *inconsistency* and *contradiction*; for this they certainly do, in allowing a difference between the Old Testament and the *New* in point of *moral obligation*: little thinking that if this could once be proved, and that the *latter* is more *pure* and *holy* than the *former*—it would shake the credit of *both*, as the work of *one* and the *same* SPIRIT; and perhaps we must be led to give up *one* in order to support the *other*, or, to be entirely consistent, deny the authority of *both*.

Thus it was with *Manes*, that famous *heretic* of the third century.—In order to remove the obstacles which lay in the way of his monstrous system, which was a motley mixture of some tenets of *Christianity*, mixed with the ancient philosophy of the *Persians*, in which he had been instructed in his youth

youth—and to establish a scheme of *purity, holiness, and mortification*, which, among other things, consisted in total abstinence from *marriage*, and all comforts which arise from the bonds of conjugal tenderness—he affirmed that the Old Testament was not the work of God, but of the *prince of darkness*, who was substituted by the *Jews* in the place of the true God : and afterwards, finding that the New Testament would not fully answer the designs of this enormous *fanatic*, he threw a total discredit on the *four Gospels*, the *Acts of the Apostles*, and on *Paul's Epistles*, and supplied their place by a *gospel* which he pretended to be dictated to him by God himself. See *Mosheim, Mac-laine's edit.* vol. i. 155.

Another *fanatic* arose in this century, whose name was *Hierax*—who maintained, that
 “ the principal object of CHRIST's ministry
 “ was, the promulgation of a NEW LAW,
 “ more *severe* and *perfect* than that of *Moses* ;
 “ and from hence he concluded, that the
 “ use of *flesh, wine, wedlock*, and of things
 “ agreeable to the outward senses, which
 “ had been permitted under the *Mosaic* dispensation, was absolutely prohibited and
 “ abrogated by CHRIST.” *Mosheim, ib.* 156.
 MOSHEIM also mentions a wild *sect*, that troubled the *church* during the 12th century, which he calls *Catharists*. “ Their religion” says he, “ resembled the doctrine of the *Manicheans* and *Gnostics* in many respects ;
 “ particularly on the subject of *marriage*,
 “ from

“ from which they enjoined a rigorous ab-
 “ stinence, as well as from wine and animal
 “ food ; they moreover treated with the ut-
 “ most contempt all the books of the *Old*
 “ *Testament*, but expressed an high degree of
 “ veneration for the *New*, particularly for
 “ the four *gospels*.” See *Mosheim*, cent. 12.
 part ii. c. 5. sect. 4.

Many more instances of this kind might easily be mentioned, but these may suffice to shew, whither men may be led, if once imagination sets to work, and notions of *religion* are entertained, which set the *Old Testament* and *New* at variance:—to maintain, therefore, their uniformity, harmony, and consistency, should be the endeavour of every writer on religious subjects ; the moment we lose sight of these, we must be lost in endless mazes of contradiction and inconsistency—how can it be otherwise, if the *book*, from whence we must derive the matter of our discourse, be *inconsistent* with itself ?

In vain are we *all* called upon—1 Cor. i. 10.
 —to *spea*k the same thing—that there be no di-
 visions among us—that we be perfectly joined to-
 gether in the same mind and in the same judg-
 ment—if the sacred writers of the *Old* and
New Testament are at variance—or if *MOSES*
 said one thing and *CHRIST* another—or if
God can be supposed to differ from *himself* ;
 for these consequences cannot be avoided, if
 there be one *law* of less purity in the *Old*
Testament, and another of greater purity in
 the *New Testament*.

This latter notion has filled the world with more enthusiasts, fanatics, and mad religionists, than convents and cells could contain; it has peopled deserts, caves, dens, and forests, with anchorets, hermits, demoniacs, and other wild and gloomy mortals, who have represented human nature under such a form, as almost to countenance the *Manichæan* notion of the creation of the world by the *prince of darkness*.

It were endless to attempt a recapitulation of all the *mischiefs* which have arisen, from setting the Old Testament and the New at variance—and from contending that the *holy law*, or *rule of life*, which God revealed for the government of the *Jews*, is not *holy and pure* enough for *CHRISTIANS*.

The condemnation of *marriage*, and other instances of rebellion against the *wisdom* of God, are but a part of that *spiritual wickedness*, which, through the prevalence of this notion, has taken possession of so great a part of mankind—those *mischiefs* which are the subjects of this *treatise*, all flow, as has been before observed, from the same principle, though they operate in a different manner.—I know not that the *fanatic**, who took it into his head to live for thirty-seven years together on the top of an *high pillar*, by way of devotion, hurt any body but himself, unless it were those who were *mad* enough to

* See an account of this *pillar-saint*, and his sect, i Mosh. p. 254.

follow his example:—but when the law of *justice, mercy, and truth* (for such is the moral law of God) is laid aside, for a system of the most atrocious baseness and cruelty, which dissolves all *marriage-contract* whatsoever, and renders all *security* arising therefrom utterly *null and void*, unless ratified by *human authority*—then laying aside the *law which was given by Moses*, annihilating its obligations, and setting up a *new law* not of God's ordaining, but of *man's device*, is severely felt by those, whose aggravated sufferings are the natural and infallible consequences of it.

As for the *moral law*, it is founded in the *relation* which men bear to God and one another; and therefore, as that *relation* is incapable of alteration, change, addition, or diminution—but must ever remain *one* and the *same*—so must that *rule of life and conduct*, which was established by *that law*. Therefore, when *our blessed SAVIOUR*, who came *not to destroy, but to magnify the law, and make it honourable*, *Is. xlii. 21.* and this by His own perfect, sinless, and most holy *obedience, even unto death*, is summing up the whole under *two* general heads, which He calls the *two great commandments of the law*, He says, *On these two commandments hang* (or depend) *all the law and the prophets*.—There is not *an ἐς* (not there was not in the days of *Moses*, but) there is not now, any other commandment greater than these. *Matt. xxii. 40.* *Mark xii. 31.*

Hence, when the primitive *Christians and Fathers*

Fathers took it into their heads to consider the New Testament as a distinct new system of faith and manners, which abrogated the *old law*, and set up for *itself*, they laid the foundation of the heresies and errors which have infested the church of CHRIST, as in other things so with respect to *marriage*. Had they interpreted what CHRIST said on the subject of *celibacy*, not by detaching the words, and taking them by their *sound*, but by comparing them with the Old Testament, thus taking them by their *sense*, they would not have stigmatized God's holy ordinance of *marriage* as an *impure and carnal thing*, and accordingly have thought the *married* less holy and pure than the *unmarried*—they would not have treated it as merely *allowable* (much less, like the blasphemy of *Jerome*, have reckoned it, as some did, among the things *quæ sunt per se mala ac vitiosa*) but as a thing commendable, yea, *honourable in all*. Heb. xiii. 1. They would not have *raved*, as they did, against *second marriages*, calling them little better than *whoredom and adultery*, and holding men as *beathens and publicans* who entered into them; but they would have seen in the Old Testament, that when men, though already *married*, took *second wives*, such marriages were approved, blessed, owned, and even promoted by God Himself.—Thus would they have *learned not to have condemned the guiltless*. In short, they would have seen that *marriage*, in all the forms in which it appeared in the Old Test-

tament, was an obedience to that first command uttered with the *first blessing* from Heaven—*Be fruitful, and multiply, and replenish the earth*—that their schemes of *celibacy*, and their other restraints of *marriage*, under notions of greater *purity and perfection*, were opposite to that command, and tended to the * destruction of the *human species*—and that there was no more difference between their plans of feigned † *chastity*, and *murder*, than

* Whatever hypocrites austerely talk
Of purity, of place, and innocence ;
Defaming as impure what God declares
Pure _____
Our Maker bids increase ; who bids abstain
But our *Destroyer*, foe to God and man ?

Parad. Lost. B. 4.

† For, after all, the *chastity* they pretended to was but ill observed. Witness the proceedings of the *clergy* in the *third century*, who, to humour the people, abstained from *marriage* ; but they did this so as to offer no great violence to their own inclinations—for they formed connexions with those women who had vowed *perpetual chastity* ; and it was an ordinary thing for an *ecclesiastic* to take one of these fair saints to his bed, still under the most solemn declarations, that nothing passed that was contrary to the rules of *chastity and virtue*. These *holy concubines* were called *συνησάουσαι* by the *Greeks*—and by the *Latins*—*Mulieres subintroductæ*. And it was a long time before the more pious and zealous of the *Bishops* could entirely abolish this practice. See 1 *Mosheim*, 137, 138.

The order of the Countess of *Guastalla*, instituted in 1537, was made up of *monks and nuns*, who, to overcome *fleshy lusts*, did lay together, a *monk* and a *nun* in the same bed, putting a big wooden *cross* between both ; which (as they gave out) had the virtue to quench *rebellious concupiscence*. But this *cross* being but a very low wall of partition, and scandalous disorders, and *works of darkness*,

than between the prevention of a child's birth, and destroying it after it is born.

Our BLESSED SAVIOUR (John viii. 44.) describes the *arch-enemy* of mankind, the *Devil*, as a *lyar and a murderer from the beginning*. His grand plan is the destruction of the *human species*. He brought *sin and death* into the world, by being the father of that *lye* which he induced our *first parents* to believe, and which stands recorded Gen. iii. 4. His end and aim has ever since that hour been uniformly the same, therefore he is fitly styled in the *Hebrew* tongue, ABADDON (*destruction, perdition*) and in the *Greek*, APOLLYON—the *destroyer*. Rev. ix. 11. In how successful a manner his plans have been carried on, by preventing the propagation of children, the history of the church, from the days of the primitive *Christians* and *fathers*, abundantly declares, especially that part of it which respects the *church of Rome*. The *celibacy* of the clergy hath for * many ages been universal—millions of men and women have been taught to turn the *particular* and *occasional* recommendations of a *single*

darkness, arising from this foolish institution, this infamous order came to an end, being destroyed all over *Italy*. I know not that this instance of *conventual chastity* is recorded in any printed book, but accidentally meeting with it in an old *manuscript*, I thought it too curious not to set it down.

* Bishop *Newton*, in his ingenious and learned *Diff. on Proph.* vol. ii. p. 444, seems to date the prohibition of *priests* marriage, by public authority, so early as the council of *Eliberis* in *Spain*—Anno 105.

life, into general injunctions against *marriage* itself; thus *changing the truth of God into a lye, forbidding to marry*, and shutting themselves up in *convents, cloisters*, and other uncommanded retirements. *Satan's* grand plan is still carrying on among mankind, even where *Protestantism* prevails, witness the numbers of *females*, who are daily rendered unfit for the *ends of marriage by prostitution*. This would not be, if the *father of lyes* had not taught us to abrogate those salutary and beneficent laws of God, which were enacted in heaven, and delivered to *Moses* on *Mount Sinai*, to prevent this foul disgrace, and sad destruction of the *female sex*; and to substitute others, which render it more *safe* for a man to *ruin an hundred virgins*, than to *steal a six-pence*. As far as this is attended with *depopulation*—which it must be in proportion to the numbers of women *seduced*, and abandoned to *prostitution*—so far doth *Satan* succeed in the destruction of the *human species*.

In this, and in many other ways, which have been mentioned in these *volumes*, doth the *enemy of God and man* find his account, from the substitution of *human invention* in the place of *DIVINE LEGISLATION*; which last, in every part of it, the more closely it is considered, the more it appears calculated to obviate those mischiefs, and to prevent those calamities, which, as *human nature* is now constituted, form so large and fatal a part of *female misery*.

How so considerable a portion of the *Christian*

tian world could ever be brought, through a long succession of ages, to imagine it possible that *a jot or tittle of the* DIVINE LAW *could ever pass away*—or that the change which has been supposed, could be derived from *divine authority*—or that God could be less *provident* for the *protection* and *security* of the *weaker sex*, under the *New-Testament dispensation*, than under *that* of the *Old Testament*—is one of those *problematical* questions, which I freely own to exceed all the apprehension which I am master of.—I therefore leave it to be resolved by those, whose genius for *the inexplicable*, may perhaps prompt them to attempt a solution of it.

All that I can say is, that if once we separate the New Testament from the Old, and set it up as a *distinct system*, explaining the words by the *sound* of them, we may prove CHRIST a *repealer* and *opposer* of God's law in more instances than one. As for example—Luke xiv. 26.—*If any man come to me, and hate not his father and mother, and wife and children, and brethren and sisters, yea, and his own life also, he cannot be my disciple.* However these words may *sound*, yet, when rightly understood, they are not to lessen *filial duty*—*parental* or *filial affection*—*brotherly love*—to weaken the great duty of *self-preservation*, or to dissolve the conjugal union and *affection* between a man and his wife;—but to shew that even *these* things, *obligatory* as they are in *themselves*, are but of *secondary* consideration, or indeed of *no* consideration at all,

when they stand in competition with *doing* or *suffering* for the glory of God, in the maintenance of His *truth*. So ver. 33. *Whosoever he be of you that forsaketh not all that he hath, he cannot be my disciple.*—This cannot mean, consistently with other scriptures, that a man cannot be a *Christian* without he leaves his *wife and family—friends and relations*, and throws his *substance* into the sea, and *himself* after it;—but that he is to prefer the *cause* of God, with the *loss of all things* (see Phil. iii. 7, 8.) to the *whole world* (see Matt. xvi. 26.) when in times of difficulty and danger, for the *truth's* sake, he must either forsake one or the other. This, however, is not merely a New-Testament doctrine, or something imposed by a *new law* of CHRIST—it is all to be looked upon as an exemplification of the *first great commandment of the law—Thou shalt love the LORD thy God, with all thine heart, with all thy mind, with all thy soul, and with all thy strength.* Matt. xxii. 37. Mark xii. 23. Accordingly we find examples of as eminent *martyrs* under the Old Testament as under the New, as may be seen Dan. iii. 14—23. Dan. vi. 10, 16. See also 2 Maccabees vi. and vii. Heb. xi. 33, &c.—who forsook all for the cause of God, and *loved not their lives even to the death.* Again, Matt. x. 34. *Think not that I am come to send peace on earth: I came not to send peace but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her*

her mother-in-law, and a man's foes shall be they of his own household, ver. 35, 36. Comp. Luke xii. 51—53. What a character doth CHRIST here exhibit of Himself, supposing what He says is to be understood according to the mere *letter*, and construed according to the *sound*, instead of the *sense* and meaning of the passage ! He may be said to disclaim the character of the *Messiah*, who was to bring *peace*—to be the *Prince of peace*, (see Is. ix. 6, 7.) and of *the increase of whose peaceful government, there was to be no end*. Here then we must compare the Old and New Testament, and we shall find the true meaning of our LORD's declaration, which runs almost in the very words of the prophet *Micah*, vii. 6. and shews, that the spirit of opposition, and persecution of God's truth, are at all times alike, and that no obligation, even of the nearest kindred, relationship, or friendship, can shield us from the bitter effects of heart-enmity against God and His truth. We shall find the prophet's words abundantly verified in the character of persecutors—*The best of them is as a briar, the most upright is sharper than a thorn hedge*, ver. 4. But when people began to separate the New Testament from the Old, and to set up CHRIST as a broacher of a *new system*, established on *new laws*, then *folly*, being set at work by *ignorance*, *pride*, and *self-righteousness*, began to devise plans of *piety* and *holiness*, which were to be more pure and perfect than the *laws of God*. Hence arose

VOWS

vows of *perpetual chastity*, *voluntary poverty*, and numberless uncommanded mortifications, and refusals of the good creatures of God, which He hath commanded to be received with thanksgiving of those who believe and know the truth. 1 Tim. iv. 3. Hence also, as has been observed, came the disparagement of marriage—the condemnation of *second marriages*—the reprobation of *polygamy*.—These things might do very well for such *dwarfs* in grace as *Enoch*—*Abraham*—*Isaac*—*Jacob*—*David*, &c.; but as the *Christians* began to think, that what they called the *Christian law* was more *holy* and *perfect* than the *law of Moses*, so they invented schemes by which they were to think themselves *more holy* than the believers of *old time*, whom they esteemed to live under a less *pure* and *holy rule of life*, than what they ignorantly called the *law of CHRIST*. This *blasphemy* against God's most *holy law* (for it was no better) passed for very exalted *piety*, and was a part of that *mystery of iniquity*, which at length branched itself into so many orders of *monks*—*nuns*—*friars*—*hermits*—*anchores*, among the *Papists*—and so many fanatical wild *sects* among the *Protestants*, well described by the ingenious author of *Hudibras*, where he says—

*Religion spawn'd a various rout
Of petulant capricious sects,
The maggots of corrupted texts.*

Nearly allied to all this was the invention of a number of human *rites* and *ceremonies*, which were to attend upon the *ordinances* of
God,

God, and which in process of time began to be mistaken for the *ordinances themselves*, or at least so *essential a part* of them, as that the *ordinances* were looked upon as *nothing* without them. *Baptism*, which simply consisted in *dipping* a person in water, or *pouring* water upon them, in the name of the *ever-blessed TRINITY*, was to be accompanied with *rites* of human *invention*, and *ceremonies* of *man's device*, or else it was good for nothing—such as *anointing*—*prayers*—*imposition of hands*—*the sign of the cross*—*exorcism*—*salt*—*spittle*—and certain *sureties* called *godfathers* and *godmothers*.—So the sacrament of the *Lord's Supper*, as simple an institution as the other, and consisting in *eating bread* and *drinking wine* in remembrance of *CHRIST's death* and *sacrifice*, was * loaded with *rites* and *ceremonies*, by which, in process of time, a piece of *wafer* was supposed to become the *flesh*—*bones*—*body*—and *blood* of a *man*, first to be *worshipped* and then *eaten*. No marvel then that *marriage*, when the Popish visionary, *Peter Lombard*, had found

* To this we may add—loaded with so many strange opinions and devices, by the imaginations and inventions of writers of “*treatises on the sacrament*”—“*preparations for the altar*”—“*Devout communicants*”—and books of the like kind, that a most simple and significant rite, is become too complex and unintelligible for the generality of mankind.—A late writer, Dr. BELL, has done worthily, in his *attempt* to extricate this *simple* institution of *CHRIST*, from the difficulties which have been cast upon it by the conceit of human reasoning, by examining into the *only source* of information, from which any true knowledge of it can be authentically deduced, the *SCRIPTURE ITSELF*.

it

it out to be a *sacrament*, and *Pope Innocent III.* threw the administration of it entirely into the hands of the *priests*, should also have ceremonies invented and annexed to it, which, by degrees, wrought upon the *credulity* and *superstition* of the people, so as to obscure the *real* nature of the *institution*, as *ordained of God*, be put in its place, and, in length of time, be mistaken for the *thing itself*. *Superstition* is always ready to give an helping hand to such sort of things, by obtaining the sanction of *custom* for their support. Still the ordinances of *God* are just the same *in themselves* and *by themselves*, as well as in their *validity*, *operation*, and *effect*; they are not *added* to in these respects by the *inventions of men*, nor *diminished* by the *want* of them. What *was baptism* when *CHRIST* ordained it, *is baptism* still—what *was* the sacrament of the *Lord's supper*, *is* still the same—and that which made a *woman* a man's *wife*, when it was said—they shall be *one flesh*, makes her so at this moment, and *will* do to * the end of the

* If any would be for confining this mode of marriage, *simply* by the *personal union* of the *male* and *female*, to our *first parents*;—and *that* from the necessity of their situation, they being *alone* on the earth; and therefore no *rite* or *ceremony* to be administered by another on the *occasion*, could exist, but that afterwards this *simple union* of the parties, was not sufficient to constitute a valid marriage in *God's* sight—let such consider the whole passage together, and they will find it, in some respects, more applicable to *Adam's* posterity, than to himself. If we believe in the notion of *Præadamites*, then indeed the words—“*a man shall leave his father and mother*”—

may

the world.—This is clearly laid down in the New Testament, as well as in the Old Testament, by CHRIST, Matt. xix. 6. and St. Paul, 1 Cor. vi. 16. See before, vol. i. p.

The various alterations which the *superstition* of *some* have introduced into these matters, and which the credulity of *others* have received, still leave the *things themselves* just as they were. Though the Pope denies the *cup* to the laity—though he strikes out the *second* commandment of the *decalogue*, and divides the *tenth* into *two*, in order to make up the number *ten*—though he, or any other earthly power, should invent a ceremony, without the observance of which *all marriage* is *null* and *void*—though they should *vacate* marriage on account of *impediments* of their own devising—still all this only proves the height of human pride and presumption—the ordinances and commandments of God *are* just what they *were*, and are equally binding on *every man's conscience in the sight of God*. As a man who makes to himself a *graven image*, and bows down before it and worships, falls

may apply to *Adam*; but otherwise, these words must apply, not to *Adam*, who had no "*father and mother*," but to those who *have*, that is to say, to all the *naturally-engendered* offspring of *Adam* throughout all *generations*.

This is clearly laid down by OUR SAVIOUR, Matt. xix. 5, 6. and by Paul, 1 Cor. vi. 16. Eph. v. 31, 32. We are therefore authorized to look on Gen. ii. 24. as the true, *original*, and *unalterable* institution, by which the *male and female* become *one flesh*, from the moment it was revealed, to the end of all things.

as much under the condemnation of the *second* commandment, though it be left out of the *decalogue* by the *authority of man*, as if it had been retained; so a man, who, on *human authority*, can imagine himself to be at liberty to *forsake* the *virgin* which he has *taken*, because he *has* not—*will* not—or *can* not go to a church with her, and hear a *form* of words of *man's device* read over him by a *priest*, is as great a sinner in the sight of God, as if he had done such a thing the very moment after hearing *Moses* pronounce those laws, *Exod.* xxii. 16, and *Deut.* xxii. 28, 29, which positively forbid it, and which neither *man* nor *angel* can invalidate the force and obligation of.

That the observance of these laws must be attended, in some instances, with *polygamy*, is certain. The *all-wise legislator* must foresee this, as nothing can be hidden from Him—yet no exception, no qualifying clause, no restriction, is found in these laws as to the circumstances or situation of the *man*; and that no such thing was intended, appears, not only from the construction of the *Hebrew* words—כִּי אִישׁ—if *any man*—but also from the *evident* care which is taken of the honour of the *seventh* commandment, by adding the words לֹא אֶרְשֶׁה—non desponsata—not *betrothed*—to the description of the *damself*.—Some such exception must certainly have been found with regard to the man, if the honour of *that law* had been endangered, by *polygamy* on *his* side, as on the *side of the woman*.

woman. Another reason why no exception is made, is, the apparent objects of these laws themselves—which were, to secure the validity and obligation of the *marriage ordinance*, so that no man should put away and abandon the *virgin* he had *taken*; thus also to secure and protect the *weaker sex* from seduction and dereliction, consequently from *prostitution*; thus to prevent *whoredom* and *fornication*, and all other evils arising from wanton and causeless *divorces*. But even *polygamy* itself was regulated and circumscribed: it did not follow that a man might take any number of *wives* he pleased, because he might take more than one. The *maintenance* and *provision*, as well as the due *communication* of *his person*,—(called by *Moses* נָשִׂיא—*duty of marriage*, Exod. xxi. 10. and by *St. Paul*, 1 Cor. vii. 3. Ὁφειλομεν τὴν ἑαυτοῦ ἐκκλησίαν—*due benevolence*) were not to be withdrawn from any *first* or *preceding wife*; so that much depended on the circumstances of the man.—All beyond * this was called *multiplying wives*,

* Doubtless in this, as in all things else, which, however lawful or innocent in themselves, may become sinful by abuse and excess, we may say with *Horace*—

*Est modus in rebus—sunt certi denique fines,
Quos ultra citraque nequit consistere rectum.*

Some certain mean in all things may be found,
To mark our virtues, and our vices bound.

FRANCIS.

That *polygamy* is *lawful in itself*, and in many cases *expedient* (see before, p. 178—80, and n.) in some *duty* (see vol.

wives, and, like other unreasonable excesses, forbidden even to persons of *royal* dignity. Deut. xvii. 16, 17. What *Solomon* suffered for his neglect of this law, may be seen, 1 Kings xi. 1—14.

I have said so much on this subject of *polygamy*, because it is so little understood, owing to its being taken for granted to be *sinful*, because every body is taught to believe so, though the reason of this belief is not to be found in God's word, but in the imaginations of people, who derive their notions upon the subject from *prejudice* and *vulgar error*, just as the *Papists* do their notions of *purgatory* or *praying to saints*. However, it is highly necessary that every part of the *divine plan* for regulating the *commerce of the sexes* should be considered upon the footing of the *divine law*, that all stumbling-blocks may be removed out of the way of that *retributive justice* so strongly commanded in that law to *every man*, and therefore which *every man* owes to the *virgin* which he has once received into his *possession*. Declaring *polygamy* to be a *sin*, that it is a *transgression of the law*,

vol. i. 255, and n.) none can deny, who will yield to the testimony of the scripture, and plain matter of fact. But where it is entered upon with no other view than to pamper the appetite, and to indulge a love of variety, it degenerates into *evil*; and seems to be to *marriage*, what gluttony and drunkenness, and excess of apparel, are to *food* and *raiment*—a *sinful*, because a forbidden, *abuse* of lawful and necessary things. See before vol. i. preface—and this vol. p. 288, and n.

when

when there is *no* * *law* against it, is, to say the least of it, an horrid and unwarranted piece of presumption, and is attended with these mischiefs among many others—It furnishes the man who has *no conscience*, with a ready excuse for leaving to distress, prostitution, and ruin, the helpless object of his brutal lust—And it deters the man who has *some conscience*, from thinking it his duty to maintain, protect, and provide for *as a wife*, the woman whom he has made so in the sight of God, and whom, if ever it be in his power, he ought to make so in the *sight of the world*. Whereas the *law of God*, the only criterion of good and evil, leaves the *former* without all excuse for *not doing*, and the *latter* without all fear of *doing*, what, if done in *every* case, would save thousands from ruin both in *this* world and in the *next*.

To maintain this, is to maintain the word of God—to contend *for the faith once delivered to the saints*—to defend the bulwarks of *female* security—to throw down the *strong holds* of *seduction*, *debauchery*, and *prostitution*—and, by sapping the foundation, to demolish the whole fabric of *adultery*, *whoredom*, and *fornication*; which are all *supported*, as well as *built*, by systems of human invention—policy of man's device—and maxims of *worldly wisdom*. But again let me say, be it

* *Where no law is, there is no transgression.* Rom. iv. 15.
Sin is not imputed when there is no law. Rom. v. 13.

remembered—*the wisdom of this world is foolishness with God.* 1 Cor. iii. 19.

Into whose-soever hands these papers may come, I must at the *end*, as at the *beginning*, enjoin the *reader* to take his *Bible*, and examine thoroughly into the truth of what has been said—to weigh it in the *balance of the sanctuary*—to let no prejudice or pre-conceived opinion (if possible) bias his judgment—no traditions of men usurp the place of God's *commands* within his *conscience*—no popular opinion plead, from its *antiquity*, a right to deceive his understanding—remembering that it is written—*Let God be true, but every man a liar*, Rom. iii. 4. Therefore, notwithstanding all the *plausible* and seemingly *pious* objections, which human pride can devise and raise against God's *dispensations*, and all the best-connected plans, which human wit and wisdom can oppose to that *uniform* and *holy* system of *moral government* over men's actions, which is revealed in the *Bible*—as well as all the inventions of uncommanded *rites* and *ceremonies*, which have *obscured*, and even *made of none effect*, the simple *ordinances* of God—still God will be *justified in His sayings*, and clear when He is *judged*. Rom. iii. 4. *He will destroy the wisdom of the wise, and bring to nothing the understanding of the prudent.* 1 Cor. i. 19; and it will appear at *that day*, that *what is highly esteemed among men, is abomination in the sight of God.* Luke xvi. 15.

By this time, it is to be hoped, that the

reader will give the *author* credit, for having considered the foregoing subjects, not in a light, hasty, desultory, or careless manner, but with all the diligence and ability of which he is capable. The *author* for himself can truly say, that he hath not wilfully overlooked the *divine testimony* on either side of the question, but hath faithfully transcribed what he apprehends to be the mind and will of GOD, as revealed in scripture, on every subject which has been considered. Notwithstanding which, if he could suppose that *second causes* were at the disposal of ignorance, superstition, vulgar error, and inveterate prejudice, he could expect little more than to adopt the complaint in Is. xlix. 4. *I have laboured in vain, I have spent my strength for nought and in vain.*—But when he looks higher, and recollects by whose power and providence it was, that those *very truths* of scripture, for maintaining of which *Wickliffe's* bones, and † *Bucer's books*, were publicly and ignominiously burnt, and hundreds of the wisest and best of men were committed to the flames, are now the *standards* of our *national faith*—when he recollects, that being

† *Bucer* died at *Cambridge* anno 1551, and was buried with the highest solemnities that could be devised. In 1557 his body was dug up, and burnt, together with that of *Fagius*, for *heresy*—and the very churches, where they had been buried, laid under an *interdict*.

Another proof this, of the *wisdom* and *stability* of HUMAN OPINION!

See *Burnet*, Hist. Ref. vol. ii. 163, 345.

a *bigamist*, or *twice* successively to be married, was once *infamous*, but now *honourable*—that for a *clergyman* to *marry at all* was, a little more than two hundred years ago, *felony* * both in the *man and wife*—but that now the truth of scripture prevails, and *marriage is honourable in ALL*—when he reflects that if
 “ any taught their children the *LORD’S Prayer*
 “ —the *Ten Commandments*—and *Apostles*

* The words of this most horrible law, 31 H. VIII. c. 14. are—“ or any man which is or hath been a *priest*,
 “ do carnally use any woman, to whom he is or hath
 “ been *married*, or with whom he hath contracted *matri-*
 “ *mony*, or openly be conversant or familiar with any
 “ such woman, both the man and the woman shall be
 “ adjudged *felons*.”

Let us suppose a *priest* indicted on this statute—he is arraigned, and pleads *not guilty*. In the course of the trial it comes out, that the *woman* in question is a common *harlot*; his *intimacy* with her is proved, but *no marriage*.—He must be *acquitted*.—So if the *woman* was proved to be *only the wife of another man*.—Here *whoredom* or *adultery*, fairly proved, would have saved the man’s life—*marriage* would have destroyed it.

On the same principles, let us argue as to an indictment for *bigamy* on 1 Jac. c. 11. where the said *peccadillos* of *whoredom* or *adultery* would equally befriend the prisoner.

Then let us ask ourselves—how much *wiser*, or *more conformable to GOD’S law*, this is than the other?

This *age* has learned to look upon the *first* of the above laws with indignation and just abhorrence—as no doubt *future ages*, if the world grows *wiser* as it grows *elder*, will look upon the *second*.

Be it remembered, that, in both cases, the man is indicted as a *capital offender*—his *life* put in *jeopardy* for supposed crimes, which the *divine law* no where condemns—and that his life is saved, by *only* having committed one or other of what are *capital offences* by the *law of Heaven*—or by claiming the *benefit of clergy* if convicted.

“ *Creed,*

“ *Creed*, in the vulgar tongue, it was crime
 “ enough to bring them to the *stake*, as it
 “ did *six men* and a *woman* at *Coventry*, in
 “ the *passion-week*, 1519.”—(See *Burnet Hist.*
Ref. vol. i. p. 31.)—but that now, on the
 baptism of our children, a solemn charge is
 given to the sponsors, that—“ they chiefly
 “ provide that the children may learn the
 “ *Creed*—the *LORD’S Prayer*—and the *Ten*
 “ *Commandments*, in the *vulgar tongue*”—I
 say, when the author reflects on these and
 many other instances of the like kind, he
 owns himself inclined to adopt the advice of
 the wisest of the sons of men—*Eccl. xi. 1.*—
Cast thy bread upon the waters, for thou shalt
find it after many days;—and not to be with-
 out hope that a day may come—when *adul-*
tery—which, though it be the most malign-
 ant species of *robbery*, does not amount
 with us to the guilt of a *petty larceny*—will
 become terrible even to think of, much more
 so to *perpetrate*, when men cannot indulge
 their *gallantry* but at the peril of their lives.
 A time may also come, when seduction, pro-
 titution, and the ruin of the *weaker sex*, shall
 be put a stop to, by our adopting the salutary
 provisions of the *divine law*—when *child-*
murder, *female suicide*, and all the other dis-
 mal effects of men’s villainy, falsehood, and
 treachery, shall be prevented—when *fear*
 and *shame* shall no longer be the concomitants
 of God’s *own ordinance*, but the magistrate, as
 in *Israel*, be armed with a sufficient power to
 enforce a public recognition of it:—then will

marriage be promoted—*population* increased—
God honoured—millions saved from destruction !

To recommend all this is the purpose of these pages.—As for the Author—*Modò hæc tibi, lector Christiane, usui sint, quemvis auctorem fingito*—All that remains for him, is, to endeavour not to be *misunderstood*. He therefore desires to conclude, with explaining himself, as to those ERRORS, which appear to him to result from the present *system* of things, and which, therefore, he would wish to be rectified in the apprehensions of mankind.

1.

That the GOD and CREATOR of all things is not the *sole* legislative power, with respect to the *moral* actions of His reasonable creatures, as they relate to HIMSELF.—Therefore,

2.

That the laws, customs, and inventions of men, are to supersede, and set aside, the obligations of the *divine law*, and to correct the ways of Him who is *perfect in knowledge*.—Therefore,

3.

That *marriage* is *not* that which GOD's law makes it, but that which has been established by the authority of the church of *Rome*—adopted by *Protestants*—and confirmed by *act of Parliament*.—Therefore,

4.

The *seduction*, &c. of *virgins* creates no legal obligation in the man to marry, or to provide

provide for them in any wise, unless an *human ceremony* be performed :—on the contrary, they are to be reputed INFAMOUS—and, under the temptations of *fear* and *shame*, be reduced to the horrid and unnatural barbarity of either *murdering* their infants, in order to concealment, thus exposing their own lives to the hands of the public *executioner*—or, with the loss of *friends* and *reputation*, be driven as vagabonds on the face of the earth, to seek a wretched maintenance in common *prostitution*, and thus incur all the consequences of disease, misery, ruin, and destruction :—while the *men*, who are the guilty and inhuman authors of their calamities, are under no responsibility or obligation whatsoever.

5.

The releasing and absolving men from their *promises*, *vows*, and even *oaths*, so that no *private* contract of marriage, though “ becoming *matrimony* by *consummation*” (see vol. i. p. 31. and vol. ii. p. 52.) shall be binding—to the great dishonour of Almighty God—in defiance of his laws—and to exposing numbers of the *female sex* to ruin and destruction. And this by,

6.

Adding impediments, and laying difficulties in the way of *marriage*, which are not warranted by the LAW of GOD.

7.

That *adultery*, though a capital offence by the law of GOD, subjects neither party to

any indictment or prosecution whatsoever, in any of our courts of criminal judicature; and is of less *penal* consequence to the guilty parties than the stealing a *six-pence*.

8.

It being held no cause of divorce from *the bond of matrimony*, without an *act of parliament*, none but the * *rich* can do themselves justice, or be at liberty to resort to that remedy, to which they are intitled by *nature, reason, and scripture*.—Therefore,

9.

It may be, and doubtless is, the fate of numbers of injured husbands, either to cohabit with adulterous wives—or to be reduced to all the *inconveniences* and *temptations* of a *single state*, without being able to help themselves; and at the same time to all the *burdens* and *inconveniences* of a *married state*, yet unavoidably deprived of all the comforts of it—to the grievous and irremediable distress of the injured.

10.

That *polygamy* is against the law of God—

* A certain eminent professor of music, of my acquaintance, had the misfortune to marry a woman, who, after bringing him a large family of children, was detected in *adultery*.—Notwithstanding the clearness of the evidence, and the notoriety of the fact, it cost him near a *thousand pounds* to get a *divorce* by *act of parliament*. In this account, he told me that he included his loss of time, as a master in his profession; the expence of the suit in *Docket's Commons*; and the *fees* and *expences* which attended the *act of parliament*.

or “ though allowed to the *Jews* under the “ *law*—yet is in *no case* lawful to *Christians* “ under the *gospel*.” By *our law* it is totally and indiscriminately prohibited, on *pain of death*.—Hence it follows, that men who are *once married*, though deprived utterly of the ends and benefits of *marriage*, by *barrenness*, distemper of *mind*, or disease of *body*, in their wives—or unavoidably compelled to *separation*, by the most reasonable and justifiable causes—must be content to submit to all the inconveniences of *celibacy*—whether it be to the *extinction* of their families, which is one means of *depopulation*, or, the being exposed to all the temptations to *vice* which attend an *unmarried* state, and to all their dreadful consequences, rather than break through the laws which *men* have *imposed* on them, by using the remedy to which they are intitled by the *law* of God. See before, p. 178. and n.

These, and many other consequences of our present system which regards the *commerce of the sexes*, equally dangerous to the peace, happiness, comfort, and welfare of society, as well as destructive, more especially to the *weaker sex*, and dishonourable to the government of the world, as established by the *divine Legislator* at *Mount Sinai*, are what, from visible and daily proofs, the *author* apprehends, call loudly for *reformation*. This on the *basis* of that wise, holy,
uniform,

uniform, and consistent system of *moral government*, which *was not made for the righteous*, (i. e. for man in a state of innocence and perfection) but for the *lawless and disobedient*, &c. (1 Tim. i. 9.) i. e. for mankind in a fallen and corrupted state—and therefore necessarily containing many *positive precepts*, which are wisely contrived to obviate the sad consequences of those *evils*, which, in a state of *innocence and perfection*, could not have existed.

To point out these defects—to set forth their remedy on the evidence of *DIVINE REVELATION*—to recommend the whole to the most serious consideration of *all men*, but more especially to the *legislative powers*—is the author's *real design*.

How this has been executed, is left to the reader to determine,

As for *favour*, the *author asks* none.—If what he hath written be contrary to the *law of God*—he *deserves* it not.—If, on the contrary, what hath been submitted to the *reader*, be agreeable to the *divine LAW* and *TESTIMONY*—the *author* puts himself entirely out of the question; and as for *critics, cavillers, objectors, and disputers of this world*—whether they be of the sect of the *SADDUCEES*, who say *there is no resurrection, neither angel nor spirit*—or of the sect of the *PHARISEES*, who *confess* both—but prefer *tradition* to *scripture*—

Quid curet LUNA latratus canum?

Which,

Which, if the reader pleases, he may thus paraphrase—

As when, with radiant majesty, the MOON,
In her full orb, ascends her highest noon,
The bark of dogs, and howl of wolves, in vain
Insult the glories of her peerless reign :
Thus, beaming forth from SCRIPTURE's holy page,
Tho' scoffers cavil and opposers rage,
Fix'd in its sacred orb, THE TRUTH will shine,
Ever be GLORIOUS—ever be DIVINE.

I conclude the whole, with recommending to the *reader's* serious recollection and meditation, that most solemn, most noble, and most sublime *testimony*, which MOSES, THE MAN OF GOD, under the immediate *inspiration* of the HOLY SPIRIT, bare to the holiness, perfection, purity, and transcendent excellency of the LAW OF JEHOVAH.

DEUT. iv. 5, &c.

Behold, I have taught you statutes and judgments, even as the LORD my GOD commanded me, that ye should do so in the land whither ye go to possess it. Keep, therefore, and do them; for this is your wisdom and your understanding in the sight of the nations: which shall bear ALL THESE STATUTES, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, who hath a GOD so nigh unto them, as THE LORD OUR GOD is, in all things that we call upon Him for? And what nation is there so great, that hath STATUTES AND JUDGMENTS SO RIGHTEOUS, as
ALL

ALL THIS LAW *which I set before you this day?*

PROV. xxx. 5, 6.

Every word of GOD is pure—ADD *thou not unto HIS WORDS, lest He reprove thee, and thou be found a LYAR.*

APPENDIX,

APPENDIX, N^o I.

Referred to vol. i. p. 108.

In which the case of *Hannab*—1 Sam. i.—is more *particularly* considered.

AS I should be sorry to be misled myself, so I should be equally anxious not to mislead others, with respect to any scripture quoted, referred to, or explained in the foregoing pages, and so many of which have been employed to prove that *polygamy* is neither against any law given before the *Sinai-covenant*, nor against any law *then* delivered; consequently, is not *sinful*—for *sin* is not imputed where there is no law—and where there is no law there is no transgression. Rom. v. 13. iv. 15.

As a proof of God's own sentiments on the matter, I have produced the striking instance of *Elkanah the Levite*, and his two wives, *Peninnah* and *Hannab*; and by considering *Hannab* as taken after, and in the lifetime of *Peninnah*, have drawn arguments, which appear to me conclusive, with regard to the main point, viz. that if *polygamy* was a transgression of the *original institution of marriage*—of the *seventh commandment*—or of any other *positive law* of God, it is highly unreasonable and absurd to suppose, that God should so signally *bless*, and *own* it as lawful,
in

in so many instances, and *particularly* in that of *Hannah*.—But I find it is an usual opinion, and that several *commentators* rather seem to embrace it, that *Peninnah* was the *second* wife, and *Hannah* the *first*; I have the more earnestly and more diligently examined the *whole* passage, as willing to retract what I have said if it be *false*, as to abide by it if it be *true*.

The ground on which the opinion that *Hannah* was the *first* wife is built, is a very uncertain one, *viz.* that “*she is * named first,*”

* The *Hebrew* words—*אחתי ושניתי*—though they may be rendered *first* and *second*, yet are so frequently used for *one* and *the other* (as in our translation) that nothing conclusive can be gathered from them in this place. See *Exod.* i. 15. *Numb.* xi. 26. *Ruth* i. 4. 2 *Sam.* iv. 2. The best way of considering the matter, is to advert to the whole of the following context; in which it appears from many circumstances, that *Hannah* was the *second* or *after-taken* wife.

And indeed there is a very natural and obvious reason why *Hannah*, though the *second-taken* wife, should yet be named *first* in the beginning of the *history*—because the subsequent parts of it *principally* relate to *her* and her son *Samuel*.

For a like reason we may suppose *Shem* to be mentioned first of the *sons* of *Noah*—*Gen.* x. 1.—though not the eldest, *Shem* and his descendents being the chief subject of the *sacred* history.

So *Moses* is commonly placed before *Aaron* (though *three years* younger, See *Exod.* vii. 7.) wheresoever they are named together, *Moses* being the *principal* person treated of.

When the *sons* of *Levi* are mentioned, *Numb.* iii. 17. they stand thus—*Gershon*, *Kobath*, and *Merari*. In *Numb.* iv. where their several *charges* are set forth, they stand in a different order—*first*, the *sons* of *Kobath*—then the *sons* of *Gershon*—and then the *sons* of *Merari*.

I Sam.

1 Sam. i. 2. But the very next sentence furnishes us with just as good a reason for supposing *Hannah* was the second, for there *Peninnah* stands *first*—*And Peninnah had children, but Hannah had no children*:—and the reason still grows stronger for supposing *Peninnah* to be *first*, ver. 4. for there she is not only mentioned *first*, but has the precedence of a *first* * wife given her by her husband *Elkanah*, who served her *first* of the peace-offerings:—*And when the time was come that Elkanah offered, he gave to Peninnah his wife, and to all her sons and daughters, portions; † and to Hannah he gave a more worthy portion, for he loved Hannah*; i. e. she was his favourite, as *Rachel* was *Jacob's*, Gen. xxix. 30. The custom of placing the *eldest first* was very ancient, as we find, Gen. xliii. 33. *And they set before him, the eldest according to his birth-right, and the youngest according to*

* The *first wife* among the *Jews*, as among the *Turks* at this day, was the *principal*, and had distinguishing honours paid her.

Lady M. W. Montague says, that among the *Turks* the first made choice of, *was*, always after, the *first* in rank.

See that very ingenious, learned, and instructive writer, Mr. HARMER—*Outlines of a new commentary on Sol. Song*, p. 52, 53.

† The particle *ῥ Vau* is sometimes rendered by *postea*, *et postea*—*afterwards*—*and afterwards*. See Nold. part. sub 1, N° 41.

This sense of it occurs 1 Sam. ii. 16. and in numbers of other places cited by *Noldius*; he mentions this also to be the sense of *nas* in some passages of the New Testament.

his

his youth — and he took and sent messes to them from before him; but Benjamin's was five times as much as any of theirs. Benjamin was distinguished as the favourite of his brother *Joseph*, though younger than all the rest; so was *Hannah*, the youngest or *after-taken* wife, distinguished as the favourite of *Elkanah*, and though, as youngest, helped after *Peninnah*, and her sons and daughters, yet had a larger share, or, as it is mentioned in the margin, a *double portion*. This is our translation; but the words מנה אחת אפים literally signify—"a piece, part, or portion of the roasted meat"—some more choice part, we may suppose, which he had reserved for her. *Elkanah's* love, and preference of *Hannah* in his affections, would hardly have suffered him to place her after *Peninnah*, if *Hannah* had not been the youngest and after-taken wife; any more than *Joseph's* affection to *Benjamin* would have suffered him to have placed him below the rest of his brethren, had it not been against all rule to have done otherwise.

But if we look more deeply into this scripture, we may gather from *Hannah's song*, chap. ii. 1—10, a certain proof that *Hannah* was the *second wife*. The song itself is evidently *prophetical*, it treats upon the same subject as that of the *Virgin Mary*, which is recorded Luke i. 46—54; and these two wives of *Elkanah*, are spoken of as typical of what should come to pass in the latter days, when the Jews, the elder professing people

people of God, and who brought forth professing children, should become barren, and the poor barren Gentiles become fruitful. *Hannah* says, chap. ii. 5. *The barren hath borne seven, and she that hath many children is waxed feeble.* A clear prophecy of the rejection of the *Jews*, and the calling of the *Gentiles*, the former typified by *Peninnah*, and the latter by *Hannah*. So *Is. liv. 1.*—alluding to the same interesting and wonderful events—says, *Sing, O barren, thou that didst not bear; break forth into singing, and cry aloud, thou that didst not travail with child; for more are the children of the desolate, than the children of the married wife, saith the LORD.* In this view of the matter, *Hannah* must certainly be the *second wife*, as the *Gentiles* were called subsequently to the *Jews*, or else the whole similitude of this prophetic transaction, as to the fulfilment of it, in the rejection of the *Jews*, and calling of the *Gentiles*, is destroyed at once.

For all these reasons, it is surely manifest, that *Peninnah*, who was a figure of the *Jews*, was the *first-taken wife*, and that *Hannah*, who was a figure of the *Gentile church*, was the *second in point of time*. Nor is it likely that *Elkanah*, having a wife whom he liked better, should take another he liked worse.—The contrary is very probable.

That *Hannah* should delay her anxious requests for a child, till after a *second wife* had been taken by her husband, and till by this

second he had *sons and daughters** grown up, is inconceivable; but that *Peninnah, the first wife*, who had left off *breeding* (see chap. ii. 5, latter part)—full of rage, and jealousy, and indignation, from observing *Elkanah's* partiality to an *after-taken wife*—should become her bitter *adversary*—say every thing to vex her, with bitter taunts upon the subject of her *barrenness* (which was reckoned a matter of disgrace among the *Jewish women*) and thus afflict and grieve her, till, in the sorrow, grief, and anguish of her spirit, she prayed earnestly to have *her reproach taken away* (see Gen xxx. 23.) is surely the plain, obvious, natural sense of the history. Something like this may be supposed to have happened between *Leah* and *Rachel*, Gen. xxx. 15, 22, 23.

But let us suppose, for *argument's sake*, what, for the reasons above mentioned, can never be allowed, that *Hannah* was the *elder wife*, still the history affords a very conclusive proof that *polygamy* is no *transgression of any law of God*, therefore no *sin*. *Elkanah*

* By ver. 4, where it is said, that, *when the time was that Elkanah offered, he gave to Peninnah his wife, and to ALL her sons and daughters, portions*—it should appear that *Peninnah* had brought him many children. Comp. chap. ii. 5.—Their being *grown up*, may be gathered from their attendance on the tabernacle, and partaking of the sacrifices, and this for *several years* together, as may be gathered from ver. 7.—*And as he did so*—שנה בשנה—Anno, in anno, Mont. Annuatim. Pagn. Year by year. Eng. Transf.

was a *Levite*, who came up to worship and sacrifice to the LORD, probably *peace-offerings*, which were wont to accompany others at the great festivals, all of which—except the fat, which was burnt upon the altar, and the breast and right shoulder, which belonged to the priests—belonged to him that offered them; with the rest the sacrificer made a feast * for himself, his family, and friends, giving to every one a portion of the sacrifice.—But no one could offer, or feast upon the sacrifices, unless he was clean, on pain of being cut off from his people. Lev. vii. 20, 21. Hence we hear Saul accounting for David's absence from the feast, on the offerings at the new moon. 1 Sam. xx. 26. The touch of any thing that was unclean, or having some bodily disorder upon him, such as the leprosy, and the like, rendered a man unclean, so that he could neither offer, or feast upon the offerings. But what must have become of that man, whose moral uncleanness must have been what Elkanah's was, if he could be deemed to live in adultery? for that he certainly did, if polygamy was a sin against the seventh commandment. Could he have come up, year after year, to worship and to sacrifice to JEHOVAH, under such a state of moral defilement and uncleanness? Could he have found blessing and acceptance, while in the sink of moral filth and pollution? Hophni and Phineas, Eli's two sons, were both cut off in one day,

* See Deut. xii. 12. xvi. 11. 2 Sam. vi. 18, 19.

for the abuse of the offerings of God, and for their uncleanness, 1 Sam. ii. 17, 22, 34; but *Elkanah* remains in his, accepted of God, and happy in being blessed with a *son* (and such a *son* as *Samuel*) by miracle. Again, what was *Peninnah*? a partaker, a partner, in *Elkanah*'s iniquity, if their marriage was unlawful.—What were the sons and daughters who were born of *Peninnah*, under a forbidden marriage? *Bastards*. Therefore *Peninnah*'s eating of the sacrifices, as well as her *children*'s, were absolutely forbidden things. Even the *hire of an whore* was forbidden to be brought into the house of the LORD. Deut. xxiii. 18. how much more the *person* of an *adulteress*? and as for a *bastard*, or one born of her who was with child by *whoredom*, he was not even to enter into the congregation of the LORD, even to his tenth generation. Deut. xxiii. 2. How then could *Elkanah* himself—how could *Peninnah* (supposing her the *second wife*)—how could the *children* born of these parents, go to the house of the LORD in *Shilo*—feast upon the sacrifices, and return in peace, with God's blessing and acceptance, unless the *second marriage* was as lawful in God's sight as the *first*, and no more than *that*, an offence against God's law? In whatever view we take this chapter, it proves, that neither the words of the primary institution, nor those of any subsequent commandment, prohibited *polygamy*; for if they had, these things respecting *Elkanah*, *Peninnah*, and their *children*, could not have been as they were, consistently

consistently with the scripture-character of that HOLY GOD, *who is of purer eyes than to behold evil, or to look on iniquity.* Hab. i. 13.

Here I might once more mention the case of Solomon, the son of David by Bathsheba, whom David, having other wives before, took to wife after the decease of Uriah. The law, which positively excluded bastards, or those born out of lawful wedlock, *from the congregation of the LORD, even unto the tenth generation,* (Deut. xxiii. 2.) is wholly inconsistent with Solomon's being employed to build God's temple—being the mouth of the people to God in prayer—and offering sacrifices in the temple at its dedication—unless David's marriage with Bathsheba was a lawful marriage—Solomon the lawful issue of that marriage—consequently polygamy no sin, either against the primary institution of marriage, or against the seventh commandment.—But so far from Solomon's being under any legal disqualification from the law above-mentioned—he is appointed by God himself to build the temple, 1 Kings viii. 19. *His prayer is heard—and the house is hallowed, chap. ix. 3. and filled with such glory, that the priests could not stand to minister, chap. viii. 11.* Solomon, therefore, as well as Samuel, stand as a demonstrable proof, that a child born under the circumstance of polygamy is no bastard—God Himself being the judge, whose judgment is according to truth.

A more striking instance of God's thoughts,

on the total difference * between *polygamy* and *adultery*, does not meet us any where, in any part of the *sacred history*, than in the account which is given us of *David* and *Bathsheba*, and their *issue*.

When *David* took *Bathsheba*, she was another's wife—the *child* which he begat upon her in that situation was begotten in *adultery*—and the thing which *David* had done displeased the LORD, 2 Sam. xi. 27. And what was the consequence? We are told, 2 Sam. xii. 1. The LORD sent *Nathan* (the prophet) unto *David*. *Nathan* opened his commission with a most beautiful parable, descriptive of *David's* crime; this parable the prophet applies to the conviction of the delinquent, sets it home upon his conscience, brings him to repentance, and the poor penitent finds mercy—his life is spared, ver. 13. Yet God will vindicate the honour of His moral government, and that in the most awful manner—the murder of *Uriah* is to be visited upon *David* and his house—The sword shall never depart from thine house, ver. 10. The adultery with *Bathsheba* was to be retaliated in the most aggravated manner—Because thou hast despised Me, and hast taken the wife of *Uriah* the Hittite to be thy wife—Thus saith the Lord, I will raise up evil against thee out of thine own house—and I will take thy wives and give † them unto thy neighbour

* See also vol. i. p. 265–8.

† God's taking and giving *David's* wives to *Absalom*, is to be understood in a very different sense from His giving the deceased *Saul's* wives into *David's* bosom, ver. 8.

This

neighbour before thine eyes—and he shall lie with thy wives in sight of this sun—for thou didst it secretly, but I will do this thing before all Israel, and before the sun. All this was shortly fulfilled in the rebellion and incest † of *Abſalom*, chap. xvi. 21, 22. And this was done in a way of judgment on *David*, for taking and defiling the wife of *Uriah*, and was included in the curses threatened, Deut. xxviii. 30. to the despisers of God's laws.

This last is peculiarly mentioned as a favour done to *David*, and therefore spoken of as an ingredient to heighten his ingratitude in taking the wife of *Uriah*—the other was threatened as a judgment (see Deut. xxviii. 30. Jer. viii. 10. former part) and permitted, as many other evils are, in a course of providence, as a sore punishment on *David* for what he had done. But *Abſalom* was nevertheless guilty of adultery and incest, in taking his father's wives and lying with them, and is no more excusable, than he was in drawing his sword in rebellion against his father, because this, as the other, was a fulfilment of God's threatening—ver. 11. *I will raise up evil against thee out of thine own house.*

So when it is said—Ezek. xx. 25.—*I gave them statutes that were not good, and judgments whereby they should not live; and I polluted them in their own gifts, &c.* it appears from ver. 24, where the reasons of this are set down, that all was in a way of judgment for their departure from the statutes of *JEHOVAH*. Wherefore—God left them to follow the deceit of their own hearts, the consequence of which may be described, Ps. cvii. 39. *Thus were they defiled in their own gifts, and went a whoring with their own inventions.* As if God had said—I gave them—that is—I permitted them to follow—such statutes and precepts, as a judgment on their departure from ME. See *Jews Letters to M. de VOLTAIRE*, vol. i. p. 339—341, a very sensible solution of this passage of *Ezekiel*.

† For the tragical story of *Amnon*, see 2 Sam. xiii. throughout.

As to the issue of *David's* adulterous commerce with *Bathsheba*, it is written—2 Sam. xii. 15.—*The LORD struck the child which Uriah bare unto David, and it was very sick.* What a dreadful scourge this was to *David*, who could not but read his *crime* in his *punishment*, the following verses declare; wherein we find *David* almost frantic with grief: however *the child's sickness was unto death*, for, ver. 18, *on the seventh day the child died.*

Now let us take a view of *David's* act of *polygamy*, when, after *Uriah's* death, he added *Bathsheba* to his *other wives*, ver. 24, 25. *And David comforted Bathsheba his wife, and went in unto her, and lay with her, and she bare a son, and he called his name (שלמה) Selomoh (that maketh peace and reconciliation or recompence) and the LORD loved him.* Again, we find *Nathan*, who had been sent on the former occasion, sent also on this, but with a very different message.—*And He (the LORD) sent by the hand of Nathan the prophet, and He called his name JEDIDIAH (DILECTUS DOMINI—beloved of the LORD) because of the LORD—i. e. because of the favour God had towards him*, ver. 24. Comp. 1 Chron. xxviii. 5, 6.

Let any read onward through the whole history of *Solomon*—let them consider the instances of *God's* peculiar favour towards him already mentioned, and the many others, that are to be found in the account we have of him—let them compare *God's* dealings with

with the *unhappy offspring of David's adultery*, and this *happy issue of his polygamy*—and if the *allowance and approbation of the latter*, doth not as clearly appear, as the *condemnation and punishment of the former*, surely all distinction and difference must be at an end, and the scripture itself lose the force of it's own evidence,

APPENDIX, N^o II.

See before, Vol. i. p. 374.

HAVING mentioned *Barbeyrac's* note, cc, on *Grotius de Jure*, lib. ii. c. v. sect. 9.—in which the latter is represented as having changed his opinion, with regard to a *new law* of CHRIST on the subject of *polygamy*—I was much inclined to examine farther into this matter, and therefore procured *Barbeyrac's* French translation of *Grotius de Jure*, with the *French annotations*, to which *Barbeyrac* refers in the above note—imagining that I might there meet with a more ample account of the matter.

On searching the *notes* of this learned *Frenchman* on his translation of *Grotius de Jure*, I find abundant proof of a very great change of sentiment in that great man.

I will lay this before the reader in the very words of *Barbeyrac*; whose proofs are incontestible, because taken from the writings of *Grotius* himself.

The first passage which I would mention, is, *Barbeyrac's* note on *Grot. de Jure*, liv. ii. c. v. sect. 9. No. 7. which, as far as it relates to this matter, stands thus :

“ Pour éclaircir la matière, & pour savoir
 “ en même tems ce que pensoit nôtre auteur
 “ depuis la premiere édition de cet ouvrage,
 “ ou

“ ou il ne fit néanmoins aucun changement
 “ dans cet endroit ; il est bon d'ajouter ici
 “ quelques unes des reflexions que l'on
 “ trouve dans son commentaire sur le *Nou-*
 “ *veau Testament*, Matt. v. 32. Il remarque
 “ donc d'abord, que notre Seigneur JESUS
 “ CHRIST ne pretend point, dans ce passage,
 “ non plus que dans tout le reste de son dis-
 “ cours fait sur la montagne, abolir aucune
 “ partie de la loi de *Moïse* : il veut seule-
 “ ment montrer de quelle maniere, & en
 “ quel cas un homme de bien peut profiter
 “ de la permission du *divorce* accordée par
 “ un des reglemens politiques de cette loi,
 “ qui subsistoit encore dans le tems qu'il
 “ parloit. Il ne s'agit point par consequent
 “ d'une cause de divorce portée devant les
 “ juges : car, outre qu'un mari, qui vouloit
 “ repudier sa femme, n'étoit point obligé,
 “ selon la loi, de le faire par voie de justice ;
 “ lors qu'il accusoit sa femme d'adultère de-
 “ vant les juges, cela alloit à la faire punir de
 “ mort, selon la loi, & non pas obtenir une
 “ dissolution de mariage.

“ Ainsi quand nôtre seigneur par le de l'a-
 “ dultère, comme d'une juste cause de divorce,
 “ il suppose ou un mari doux & clement,
 “ qui ne vouloit point faire punir sa femme,
 “ quelque coupable qu'elle fut d'infidelité,
 “ comme *Joséph* en usa à l'égard de *Marie*,
 “ dans le tems qu'il ne pouvoit encore savoir
 “ la cause miraculeuse de sa grossesse ; ou
 “ bien un mari, qui n'avoit pas dequoi
 “ prouver en justice l'infidelité de sa femme,
 “ quoiqu'il

“ quoiqu’il en fut persuadé, ou que même
 “ il en eut des preuves indubitables pour
 “ lui.”

“ To elucidate the matter, and to know
 “ at the same time what our author (*Grotius*)
 “ thought since the first edition of this work
 “ (*De Jure*)—in which nevertheless he
 “ made no alteration of this passage—it is
 “ proper to add here some of the reflections
 “ which we find in his *notes on the New*
 “ *Testament*, Matt. v. 32. He remarks then,
 “ first, that our LORD JESUS CHRIST doth
 “ not intend at all in this passage, any more
 “ than in the whole of his sermon upon
 “ the mount, to * abolish any part of the
 “ law of *Moses*—he means only to shew after
 “ what manner, and in what case, a *good*
 “ *man* might avail himself of the permission
 “ of divorce, which was granted by one of
 “ the political regulations of that law which
 “ still subsisted at the time he spake. The
 “ question, consequently, was not concern-
 “ ing a cause of divorce brought before the
 “ judges ; for, besides that an husband who
 “ would repudiate his wife was not obliged,
 “ according to the law, to do it in a judicial
 “ way, it must be observed, that when he
 “ accused his wife of adultery before the
 “ judges, that would have tended to her be-
 “ ing punished with *death*, according to the
 “ law, and not to the obtaining of a dissolu-
 “ tion of the marriage.

* See before, vol. i. p. 300—3.

“ Also,

“ Also, where our LORD speaks of *adultery*
 “ as a just cause of divorce, he supposes, either
 “ a mild and kind husband, who would not
 “ have his wife punished, however guilty
 “ she might be of infidelity—as *Joseph* acted
 “ with respect to *Mary* at the time when he
 “ could not know the miraculous cause of
 “ her pregnancy—or else an husband who
 “ had not full legal proof of his wife’s infi-
 “ delity, though he was persuaded of it, or
 “ even had indubitable proofs with respect
 “ to himself.”

Then follows a long passage on the subject
 of divorce; after which, *Barbeyrac* gives us
Grotius’s thoughts on the latter part of the
verse.

“ Dans les paroles suivantes—& celui qui
 “ épouse la femme repudiée, commet adultère—
 “ la loi de Moïse subsistant encore, comme
 “ nous l’avons dit, il faut entendre les pa-
 “ roles de JESUS CHRIST de celui qui epou-
 “ soit une femme repudiée, avant qu’on eût
 “ tenté toutes les voies possibles de la recon-
 “ cilier avec son mari, comme l’Apôtre St.
 “ Paul le prescrit, 1 Cor. vii. 11, ou ce qui
 “ est encore pis, de ceux qui étant devenus
 “ amoureux des femmes d’autrui cherchoient
 “ à s’en emparer par un divorce.
 “ C’est aussi à cela que se rapporte ce qui dit
 “ notre Seigneur, Matt. xix. 9. ou il ex-
 “ plique plus au long sa pensée. Celui qui
 “ répudiera sa femme, ET EN EPOUSERA UNE
 “ AUTRE, &c. car &c celui qui épousoit la
 “ femme repudiée, empêchoit par là qu’elle
 “ ne

“ ne retournât avec son mari, qui n’auroit
 “ pû après cela la reprendre, quand il l’auroit
 “ voulu ; & le mari de la femme repudiée,
 “ des-là qu’il en épousoit une autre, donnoit
 “ lieu de croire qu’il n’étoit point disposé à
 “ reprendre la première, & ainsi il lui four-
 “ nissoit occasion, entant qu’en lui étoit, ou
 “ de s’abandonner à l’impudicité, ou de s’en-
 “ gager avec un autre mari : car c’est ainsi
 “ qu’il faut entendre le terme *μοιχευεται* que
 “ l’on traduit *commet adultère*, mais qui doit
 “ signifier la même chose que *ποιει μοιχευματα*
 “ *fait commettre adultère*, dans l’autre passage
 “ parallèle du même évangéliste ; selon le stile
 “ des *Hebreux* qui attribuent à quelqu’un di-
 “ rectement, ce à quoi il donne occasion par
 “ quelque action propre. Voiez. Rom.
 “ viii. 26. Gal. iv. 6.

“ Voila en substance ce que dit notre au-
 “ teur dans ses notes sur le *Nouveau Testa-*
 “ *ment*. D’où il paroît, que ses idées n’étoi-
 “ ent pas tout-à-fait les mêmes, quand il
 “ composa l’ouvrage que nous expliquons,
 “ quoiqu’il n’ait depuis rien changé dans
 “ cet endroit.

“ De tout ce que l’on vient de voir, il s’en-
 “ suit, que dans les passages de l’évangile
 “ qu’il cite ici en marge pour montrer que
 “ nôtre Seigneur JESUS CHRIST a défendu
 “ par une de ses loix la *polygamie*, il ne
 “ s’agit que du *divorce* ; & cela par opposi-
 “ tion aux fausses idées des *Juifs*, qui le croi-
 “ oient permis en conscience pour quelque
 “ cause que ce fût. Matt. xix. 2.

“ Aussi

“ Aussi voyons nous que notre auteur dans
 “ son traité de la vérité de la religion Chrétienne,
 “ publié pour la première fois en 1639, c’est
 “ à dire, environ deux ans avant ses notes sur
 “ le Nouveau Testament; lorsqu’il parle du
 “ mariage du n avec une, après avoir dit,
 “ qu’il y en a peu des nations dans le pa-
 “ ganisme parmi lesquelles on se soit conten-
 “ té d’une femme, comme faisoient les Ger-
 “ mains & les Romains; ajoute seulement,
 “ que les Chrétiens suivent cette manière de
 “ mariage, lib. ii. § 13. & dans les notes il
 “ ne cite aucun passage de l’évangile, mais
 “ seulement ces paroles de 1 Cor. vii. 4. Une
 “ femme n’est pas maîtresse de son corps, mais
 “ son mari; de même un mari n’est pas maître
 “ de son corps, mais sa femme. Or, dans ses
 “ notes posthumes sur les épîtres, il explique
 “ ces paroles conformément à la suite du dis-
 “ cours, comme n’emportant autre chose que
 “ le droit qu’a une femme d’exiger que son
 “ mari ne lui refuse point le devoir conjugal;
 “ parce que en vertu du mariage, elle en-
 “ tre avec lui dans une société qui demande
 “ l’usage reciproque de leurs corps: *Omnis
 “ societas hic est, non habet jus plenum atque
 “ integrum; nam non vitæ tantum, sed & cor-
 “ porum est initia novæviæ. In re autem sociali,
 “ nemo sociorum jus plenum habet.*
 “ Mais il n’ensuit point de là, qu’un mari
 “ ne puisse avoir plus d’une femme: car les
 “ sociétés ne se font pas toujours sur un pié
 “ égal. Ainsi ce n’est que par accommoda-
 “ tion que notre auteur applique ici les pa-
 “ roles

“ roles de St. *Paul*, & pour donner à enten-
 “ dre que les Chrétiens ont renoncé à la po-
 “ lygamie, plutôt pour suivre l'esprit & le
 “ génie de l'évangile, qui porte à éviter ce
 “ dont on peut abuser facilement, que pour
 “ obéir à une loi expresse de notre *Seigneur*, ou
 “ de ses apôtres. Voiez Mr. *Le Clerc*, Hist.
 “ Eccl.'Prolegom. sect. 3. c. iv. sect. 5. num. 9.
 “ p. 162. Il n'y a nulle apparence que JESUS
 “ CHRIST aît voulu obliger ceux qui avoient
 “ plusieurs femmes, avant que de devenir ses
 “ disciples, à les renvoyer toutes, hormis
 “ une.”

“ In the words which follow—*And he*
 “ *that marrieth her that is put away, commit-*
 “ *teeth adultery*—the law of *Moses* yet subsist-
 “ ing, as we have before observed, we must
 “ understand the words of JESUS CHRIST to
 “ concern him who married a *divorced wo-*
 “ *man*, before all possible ways had been
 “ tried to reconcile her to her husband, as
 “ St. *Paul* prescribes 1 Cor. vii. 11.—or,
 “ what is worse still, of those who having
 “ become fond of the wives of others, en-
 “ deavoured to get * possession of them by
 “ means of a *divorce* in order to possess
 “ them.

“ It is to this also, that what OUR LORD
 “ saith, Matt. xix. 9. relates, where he ex-
 “ plains his meaning more fully—*Whosoever*
 “ *putteth away his wife, and MARRIETH AN-*
 “ *OTHER*, &c.; for both he who married

* See before vol. i. 357, 358.

“ the

“ the *divorced* woman, hindered her by that
 “ means from returning to her husband, who
 “ could not, after this, have taken her if he
 “ would; and the husband of the divorced
 “ wife, from the instant he married another
 “ woman, gave occasion to think, that he
 “ was not at all disposed to retake the first
 “ woman; and thus he gave occasion to her,
 “ as far as in him lay, either to abandon her-
 “ self to lewdness, or to engage with another
 “ husband *. For it is thus we must under-
 “ stand the term *μοιχεύειν*, which they translate
 “ —*committeth adultery*, but which ought to
 “ signify the same as—*ποιεῖ μοιχάσθαι*—*causeth*
 “ *to commit adultery*; as in the parallel place
 “ of the same *evangelist*—(ch. v. 32.)—ac-
 “ cording to the style of the *Hebrews*, who
 “ attribute that to a person *directly*, which by
 “ any action of his own he is the *occasion*
 “ of.” See Rom. viii. 26. Gal. iv. 6.

“ This is the substance of what our author
 “ says in his notes on the *New Testament*:
 “ from whence it appears, that his ideas
 “ were *not altogether the same* when he com-
 “ posed the work which we are now explain-
 “ ing, though he has not since made any al-
 “ teration in this passage.

“ From all that we have been observing,
 “ it follows, that in the passages of the gos-
 “ pel, which *Grotius* here cites in the mar-
 “ gin, to shew that OUR SAVIOUR prohibited,
 “ by one of his laws, *polygamy*, the subject
 “ was only concerning *divorce*; and that in

* See before, vol. i. 370—373.

“ opposition to the false notions of the *Jews*,
 “ who believed that in conscience it was per-
 “ mitted for any *cause whatsoever*. Matt. xix. 2.
 “ Let us observe also, that our author, in
 “ his treatise of the *truth of the Christian*
 “ *Religion*, first published in 1639, that is to
 “ say, about two years after his *notes on the*
 “ *New Testament*, speaking of the marriage
 “ of *one man with one woman*, after having
 “ said that there were few heathen nations,
 “ among which people contented themselves
 “ with *one wife*, as the *Germans* and *Romans*
 “ did, only adds, that the *Christians* followed
 “ this manner of marriage, lib. ii. sect. 13;
 “ and in the notes he does not cite a single
 “ passage from the gospel, but only these
 “ words of 1 Cor. vii. 4. *The wife hath not*
 “ *power of her own body, but the husband: and*
 “ *likewise also the husband hath not power of*
 “ *his own body, but the wife*. But in his
 “ posthumous notes on the *Epistles*, he ex-
 “ plains these words conformably to the se-
 “ quel of the discourse, as importing nothing
 “ else but the right which a wife hath to
 “ require that her husband shall not refuse
 “ her the conjugal duty; because, in virtue
 “ of the marriage, she enters with him into
 “ a society which demands the reciprocal
 “ use of their bodies. *Ὁὐκ ἐξουσιάζει*, here
 “ signifies—he has not a full and entire right—
 “ for a communion, not of life only, but of their
 “ bodies also, is entered into. However, in
 “ a matter of *partnership*, neither of the par-
 “ ties have a full right.

“ But it doth not follow from thence,
 “ that a man can have but *one wife*; for
 “ partnerships are not always made upon an
 “ equal footing. So that it is only by way
 “ of accommodation that our *author* applies
 “ these words of *St. Paul*, and to give us to
 “ understand, that *Christians* renounced *polygamy*, rather to follow the spirit * and
 “ genius

* The “ spirit and genius of the *gospel*,” as far as it relates to the *spirit* and *temper* of its *professors*, speaks thus by the Prophet *Isaiah*, chap. ii. 11. *The lofty looks of man shall be humbled, and the haughtiness of men shall be bowed down, and the LORD alone shall be exalted in that day.* Comp. ver. 17. and 1 Cor. i. 31.

This, in the very early days of *Christianity*, seems to have been forgotten, and, instead of exalting *Jehovah*, by making HIS PURE AND PERFECT LAW (Ps. xix. 7—11.) the holy directory of their obedience, the *Christians* (as has been before observed) sat about inventing schemes of *devotion* and *piety*, not only inconsistent with, but opposite to, the DIVINE LAW—they detached the *New Testament* from the *Old*, and ran into as much folly and extravagance, as, before the end of the *first century*, branched themselves out into those *heresies*, which, in one shape or other, have been the disgrace of the *church* ever since. If we look onward to the end of the *second century*, we may say of the *heretics* and their *heresies*, as is said of the men which arose from the *bones*. Ezek. xxxvii. 10.—*they stood up upon their feet an exceeding great army.* See Chron. Tab. Mosheim, Maclaine edit. vol. ii. 581—2.

To alter GOD'S LAW relative to marriage; for fear of *abuse*, is about as wise and holy, and as respectful to the wisdom of the DIVINE LAWGIVER, as taking the *Bible* away from the Popish laity, in order to prevent *heresy* and *schism*, and to preserve the *unity of the church*. See before, 288, n.

When persons speak of the *spirit and genius of the gospel*, as distinguishable from the *spirit and genius of the law*, with respect to *purity* and *holiness*; they usually say

“ genius of the gospel, which carries us to
 “ avoid what may be easily abused, than to
 “ obey any express law of OUR LORD or of
 “ His *Apostles*. See *Le Clerc Hist. Eccles.*
 “ *Prolegom. sect. 3. c. iv. sect. 5. numb. ix.*
 “ p. 162. There is no appearance that
 “ JESUS CHRIST had any intention to oblige
 “ those who had several wives, before they
 “ became his disciples, to send away all but
 “ one.”

a great deal more than they are authorized from the scriptures to speak, or, perhaps, than they themselves understand.

If the New Testament says—*As He which hath called you is holy, so be ye holy in all manner of conversation*—it is added—*because it is written, Be ye holy, for I am holy.* Comp. 1 Pet. i. 15, 16. with Lev. xix. 2. and xx. 26. Deut. xiv. 2. with Tit. ii. 14. and 1 Pet. ii. 9.

I went down to the potter's house (saith Jer. xviii. 3.) and behold he wrought a work on the wheels. And the vessel that he made of clay was marred (נשחת) —spoiled) in the hand of the potter; so he made it again another vessel, as seemed good to the potter to make it.

Certainly the poor potter could do no otherwise; if he spoiled the vessel in the making, he must repair his loss by making it over again;—but shall we imagine that the all-wise God, either for want of wisdom or foresight, miscarried, or failed, in point of holiness and purity, with respect to the LAW which he framed for the moral government of his creatures under the Old Testament, and therefore corrected his mistake, and made another and a better LAW for that purpose under the New Testament?

Contending for a purity and holiness in the New Testament, which is not in the Old Testament, is but saying all this in other words, and coinciding with the principles of Cerinthus, Mahomet, and Socinus. See before, vol. i. chap. v.

Manes and Cerinthus were consistent, for as they rejected the law of the Old Testament, they at the same time rejected the God of the Old Testament.

Barbeyrac,

Barbeyrac, in another part of the French notes on his translation of *Grot. de Jure—viz. Liv. i. c. 1. sect. 15. n. 3.*—expresses himself thus—

“ Quand Moïse dit que l'homme quittera
 “ son pere & sa mere, pour s'attacher à sa
 “ femme, & qu'ils deviendront une seule chair,
 “ cela ne fait rien ni pour, ni contre, la po-
 “ lygamie, ou le divorce ; l'expression, devenir
 “ une seule chair, signifie seulement par elle-
 “ même, qu'il y auroit, entre un mari & sa
 “ femme, une union très étroite : mais elle
 “ n'emporte point qu'un mari ne puisse
 “ avoir en même tems une semblable liaison
 “ avec deux ou plusieurs femmes ; & a l'égard
 “ de la dissolution du mariage, tout ce qu'on
 “ en peut inferer, c'est qu'il ne doit pas être
 “ rompu legerement, & sans quelque bonne
 “ raison. Selon le stile des *Hebreux*, le mot
 “ de *chair* marque toute liaison, tant d'affi-
 “ nité que de consanguinité, comme l'a re-
 “ marqué Mr. *Le Clerc*. C'est ainsi que *La-*
 “ *ban* dit à *Jacob*, Gen. xxix. 14. *Tu es mon*
 “ *os & ma chair*—c'est-à-dire, je vous recon-
 “ nois pour un des mes parens. Comme
 “ donc tout autant de parens qu'a une per-
 “ sonne sont sa *chair*, de même rien n'em-
 “ pêche qu'un homme ne puisse être dit, selon
 “ ce stile, une même *chair* avec plusieurs
 “ femmes.”

“ When *Moses* says, that a man shall leave
 “ his father and mother, and cleave to his wife,
 “ and they shall become one flesh—this makes
 “ nothing for or against polygamy or divorce ;

“ the expreffion—*become one flesh*—fignifies
 “ only by itfelf, that there fhould be be-
 “ tween a man and his wife a moft ftrict
 “ union: but it does not import that an
 “ husband may not have at the fame time, a
 “ like bond with *two or more wives*. As to
 “ the diffolution of the marriage, all that one
 “ can infer from it is, that it ought not to
 “ be broken lightly, and without fome good
 “ reason. According to the ftyle of the
 “ *Hebrews*, the word *flesh* denotes all rela-
 “ tion, as well of affinity as of confanguinity,
 “ as Mr. *Le Clerc* has obferved. Thus *Laban*
 “ fays to *Jacob*, Gen. xxix. 14. *Surely thou*
 “ *art my bone and my flesh*—that is to fay, *I*
 “ *acknowledge thee for one of my relations*.—As
 “ therefore all the relations which any perfon
 “ hath * are his *flesh*, fo nothing hinders,
 “ but that a man, according to this ftyle of
 “ fpeaking, may be called *one fame flesh* with
 “ many wives.”

On that part of *Liv. ii. c. v. feft. 9.* where
Grotius fays—that “ God’s giving but one
 “ woman to one man, fufficiently fhews what
 “ is moft agreeable to God, and consequent-
 “ ly this has always been comely and com-
 “ mendable; but it does not follow, adds
 “ *Grotius*, that one cannot do otherwife with-
 “ out a crime: for where there is no law,
 “ there is no violation of law: now at that
 “ time there was no law about the matter.”

* See Judges ix. 2. 2 Sam. v. 1. 1 Chron. xi. 1. 2 Sam.
 xix. 12, 13.

Grotius has a long note on part of this passage, which *Barbeyrac* translates; and then adds—

“ A juger de cette question, indépendam-
 “ ment des loix civiles, il est certain que
 “ souvent on ne pourroit user de la liberté
 “ de la *polygamie*, sans pecher contre quelque
 “ vertu, & s’engager dans des inconvéniens
 “ facheux; à cause desquels la prudence des
 “ législateurs a demandé qu’on défendît en-
 “ tierement d’avoir plus d’une femme à la
 “ fois. Mais on ne sauroit inferer de là que
 “ la chose soit mauvaise en elle-même, selon
 “ le droit naturel: tout ce qu’on peut dire,
 “ c’est que c’est une des ces choses indiffe-
 “ rentes de leur nature, dont il est facile
 “ d’abuser, comme le jeu, par exemple, &
 “ plusieurs autres divertissemens, dont le plus
 “ sûr est de se priver, pour peu qu’on se sente
 “ de la disposition à en faire mauvais usage.”

“ To judge of this question, independent-
 “ ly of civil laws, it is certain, that often one
 “ cannot use the liberty of *polygamy* without
 “ offending against some virtue, and engag-
 “ ing in grievous inconveniences; on ac-
 “ count of which, the prudence of legislators
 “ has required, that the having more than
 “ one wife at a time, should be prohibited *
 “ entirely.

* The Marquis of *Beccaria*, in his ingenious essay on Crimes and Punishments—c.xl. *On false Ideas of Utility*—observes, that—“ A principal source of errors and in-
 “ justice, are false ideas of utility. For example—that
 “ legislator has false ideas of utility, who considers *par-*
 “ ticular more than *general* inconveniences; who had

“ entirely. But we cannot infer from thence,
 “ that the thing is evil in itself, according
 “ to natural right: all that can be said is,
 “ that it is one of those things indifferent in

“ rather *command* the sentiments of mankind, than *excite*
 “ them, and dares to say to reason—“ be thou my slave;”
 “ —who would sacrifice a thousand real advantages, to
 “ the fear of an imaginary or trifling inconvenience; who
 “ would deprive men of the use of fire, for fear of their
 “ being burnt, and of water, for fear of their being
 “ drowned; and who knows of no means of preventing
 “ evil but by destroying it.”

The indiscriminate and total prohibition of *polygamy*, in order to prevent its *abuse*, falls directly within the above observation, and is one of those proofs of human absurdity, with which the history of mankind abounds, even taken in a temporal view, as might be instanced in many *situations* to which married men may be unavoidably reduced. See before, vol. i. p. 175—178. Their being condemned to suffer all the inconveniences, and to be exposed to all the mischiefs of *those situations*, because others, who are not in the same, may *abuse* that mode of relief which the law of God affords, is an attack upon the *divine legislation*, an arraignment of the *divine wisdom*, and an unauthorized encroachment on the *natural rights* of mankind.

The same may be said of the prevention of *clandestine marriages*, by vacating the *bond of marriage*, and releasing the parties from all matrimonial obligation whatsoever.

Thus also, depriving a contracted woman of the *exaction* of that right which God's law positively gives her, and the law of this land once afforded her, to the destruction of her character, comfort, and peace of mind for ever—this, because, now and then, a *clandestine marriage* might hurt the pride, or disappoint the avarice or ambition, of a few individuals.

In short, the whole is replete with *folly*, and, as far as the *divine law* is concerned, with *wickedness*; and reminds one of the *blacksmith*, who, seeing a *fly* on the forehead of his sleeping infant, struck at the *insect* with his *sledge-hammer*, killed the *fly*, and at the same time dashed out the brains of his child.

“ their

“ their nature, which it is easy to abuse;
 “ such as gaming, for instance, and many
 “ other amusements, of which it is the
 “ surest way to deprive ourselves, if we per-
 “ ceive in the least a disposition in ourselves
 “ to make a bad use of them.”

Barbeyrac, on *Grot. de Jur. liv. i. c. i.*

§ 17. note 3. lays it down as a rule, that—

“ God cannot absolutely permit the least
 “ thing which is evil in itself, though he be
 “ considered as acting in the quality of a
 “ temporal monarch”—(as under the theo-
 cracy)—“ for this character does not strip
 “ him of his holiness, nor does it hinder us
 “ from supposing that he approves, as inno-
 “ cent at least, all that he permits, either
 “ in formal terms, or by necessary conse-
 “ quence from any express law or ordinance.
 “ Here then, in my opinion,” adds he, “ are
 “ the consequences which we may draw from
 “ the divine permission, where reasons drawn
 “ from the nature of the things themselves,
 “ to which attention is always to be paid,
 “ may appear doubtful.”

He then proceeds to lay down two general rules, which are well worth our attention.

“ I. *Quand DIEU permet une chose en certain*
 “ *cas, ou à certaines personnes, ou par rapport*
 “ *à certaines gens; on doit inferer de là, que*
 “ *cette chose permise n'est point mauvaise de sa*
 “ *nature.*”

“ I. When God permits a thing in a cer-
 “ tain case, or to certain persons, or with
 “ respect to certain people, we ought to infer

“ from

“ from thence, that the thing which is permitted is not evil in itself.”

After giving other examples to illustrate this rule, he proceeds—

“ Il est defendu aux Rois, par la loi de Moïse (Deut. xvii. 17.) D'avoir un trop grand nombre des femmes, de peur qu'elles ne les portent à violer la loi : par là le législateur permet tacitement à eux, & à tous les autres, d'avoir plus d'une femme sans quoi la defense seroit fort superflue. Donc la polygamie n'est pas mauvaise, & illicite de sa nature.”

“ By the law of Moses (Deut. xvii. 17.) the kings (of Israel) are forbidden to have too great a number of wives, lest they should carry them into a violation of the law: by this the legislator tacitly permits them, and all others, to have more than one wife, otherwise the command were * superfluous.

“ From

* The intention of the commandment relative to the kings of Israel (Deut. xvii. 17.) appears plainly from the very words of it—which are not—that they shall not have more than one wife at a time—but that the king—לא ירבה—non multiplicabit, Mont.—shall not multiply (or increase to a multitude) לִי נָשִׁים women to himself—so as to imitate the kings of the heathen, who had numbers of women of all nations, partly for state, partly for the provocation and indulgence of sensuality, and this to such a degree, as wholly to neglect all public affairs, and to sink into the most shameful sloth and effeminacy. Therefore it is added—וְלֹא יסור לבבו—that his heart turn not away—not only from the affairs of the kingdom—but into apostasy from God to idols, being solicited thereto by the fondness he might entertain for a variety of women taken to supply his pleasures, some of them perhaps heathens, to which

“ From hence it follows, that *polygamy* is not
“ evil and illicit in itself.”

“ II. *Lorsque DIEU regle la maniere d'une
“ chose, ou qu'il fait par rapport à cette chose,
“ quelque autre reglement, qui suppose necessaire-
“ ment qu'elle est permise ; il faut voir s'il s'agit
“ d'un seul acte passager, ou d'une chose qui par
“ elle-meme, ou par ses suites, se reduise à une
“ habitude, & une pratique continuelle.*”

“ II. When God regulates the manner of
“ a thing, or makes, with respect to the
“ thing, some other regulation, which ne-

which he might be attached, if once he gave a loose to
an unbounded appetite. The wisdom of this command,
appears from the melancholy history of *Solomon*, as re-
corded 1 Kings xi. 1—8.

Mr. *Prior*, in one of the most beautiful poems that our
language ever produced, has finely, and indeed *scriptural-
ly*, represented *Solomon* as saying—

“ Charm'd by their eyes, their manners I acquire,
“ And shape my foolishness to their desire:
“ To each new *barlot* I new altars dress,
“ And serve her God, whose person I carefs.”

SOL. B. ii.

To guard against this, as well as other effects of a pro-
voked, indulged, and unbounded sensuality, appears to
be the intention of this law. But as to *polygamy*, as con-
sidered in itself, its lawfulness must be supposed, other-
wise (as *Barbeyrac* rightly concludes) there could be no
place for such a law as this, which is to moderate and
regulate it with regard to those who, from their *station*,
must have so full a power, and consequently so much
temptation, to abuse it.

If the reader considers the whole context of this passage
(ver. 16, 17.) he will perceive, that it only concerns the
abuse or *excess* of things lawful in themselves, as the in-
stances of *horses*, and *gold and silver*, clearly demonstrate.

“ cessarily

“ necessarily supposes the thing itself permit-
 “ ted ; we should consider whether this con-
 “ cerns a single transitory act, or something
 “ which in itself, or by its consequences,
 “ may reduce itself into habit and continual
 “ practice.”

“ Dans le dernier cas la permission emporte
 “ toujours une veritable approbation de la
 “ chose dont il s’agit, comme licite par elle-
 “ même. Il est impossible que DIEU per-
 “ mette, par exemple, le metier de *brigand*,
 “ de *pirate*, d’*assassin*, de *duelliste*, &c. sous
 “ quelques conditions que ce soit. Lors donc
 “ qu’on voit qu’il règle certains cas qui sup-
 “ posent la *polygamie* permise, comme dans
 “ Deut. xxi. 15. on a tout lieu d’inferer de
 “ cela seul que la *polygamie* n’est pas necessaire-
 “ ment contraire au droit naturel.

“ In the latter case, the permission always
 “ implies a real approbation of the thing in
 “ question, as lawful in itself. It is impossi-
 “ ble that God should allow the trade, for in-
 “ stance, of a *robber*—of a *pirate*—of an *assaf-*
 “ *sin*—of a *duellist*, &c. under any conditions
 “ whatsoever. As then we see that He re-
 “ gulates certain cases, which suppose a per-
 “ mission of *polygamy*—as in Deut. xxi. 15.
 “ —we are at full liberty to infer from thence,
 “ that *polygamy* is not necessarily contrary
 “ to *natural right*.”

More transcripts might be made from this
 very learned and ingenious man, to the same
 purpose ; but these are sufficient to shew the
 force of TRUTH, over a liberal and candid
 mind,

mind, where *scripture* is made the one standard of decision as to *good* and *evil*. Influenced by this, the great *Grotius* shall vary from his first opinions, and *Barbeyrac*, though no friend to *polygamy*, yet does not offer, in a single instance, to condemn it on the footing of *divine revelation*; he fairly and *honestly* owns, that its abolition has been owing to *human legislation ONLY*—and of course, that it is not *evil in itself*—not forbidden either in the *Old* or *New Testament*;—so far from it, most certainly approved and allowed—and, as such, *regulated by the divine law*.

I would not be understood to have quoted *Grotius*, *Barbeyrac*, or any other great and learned *author*, in the course of this work, with the least view of determining any matter of *faith*, or of *deciding*, either one way or the other, as to what is agreeable, or otherwise, to the *mind* and *will* of *God*, touching any of the points which have been discoursed upon. The writings of *men* are evidence of their *opinions*; but whether those *opinions* are *right* or *wrong*, can only appear from their conformity or disagreement with the *scriptures*. To these *alone*, therefore, we must appeal, for all decision in religious matters—if we think with *these*, we need not concern ourselves who differs from us; if our notions of *religious truths* are only derived from the *opinions* or *reasonings* of fallible men like ourselves, we are on no better footing than our *Popish* neighbours, or our *heathen* ancestors, as to any reason which we can give for the hope that is in

us.—Therefore let me *finish* the whole of this WORK, as I *concluded* the *Introduction* to it—
TO THE LAW AND TO THE TESTIMONY.—
If. viii. 20.

As for any thing else, whether it be the wisdom of *Plato, Aristotle, Cicero, &c.* among the *antients*—of *Sir Isaac Newton, Mr. Locke, Bishop Warburton*, or the *old woman* that sells apples at the corner of a street, among the *moderns*—the *author* esteems it all equally venerable, equally to be depended upon, where GOD's *mind and will* is concerned, *independently of revelation*; and he does earnestly hope, that every reader—if the *author* might presume to name himself after such *great authorities*—will, throughout the perusal of *these volumes*, treat him in the *same way*, and not believe one word, but as it appears consonant to the *scriptures*—*For what man knoweth the things of a man, save the spirit of a man which is in him? Even so, the things of GOD knoweth no one (videlicet) but the spirit of GOD.* 1 Cor. ii. 11.

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